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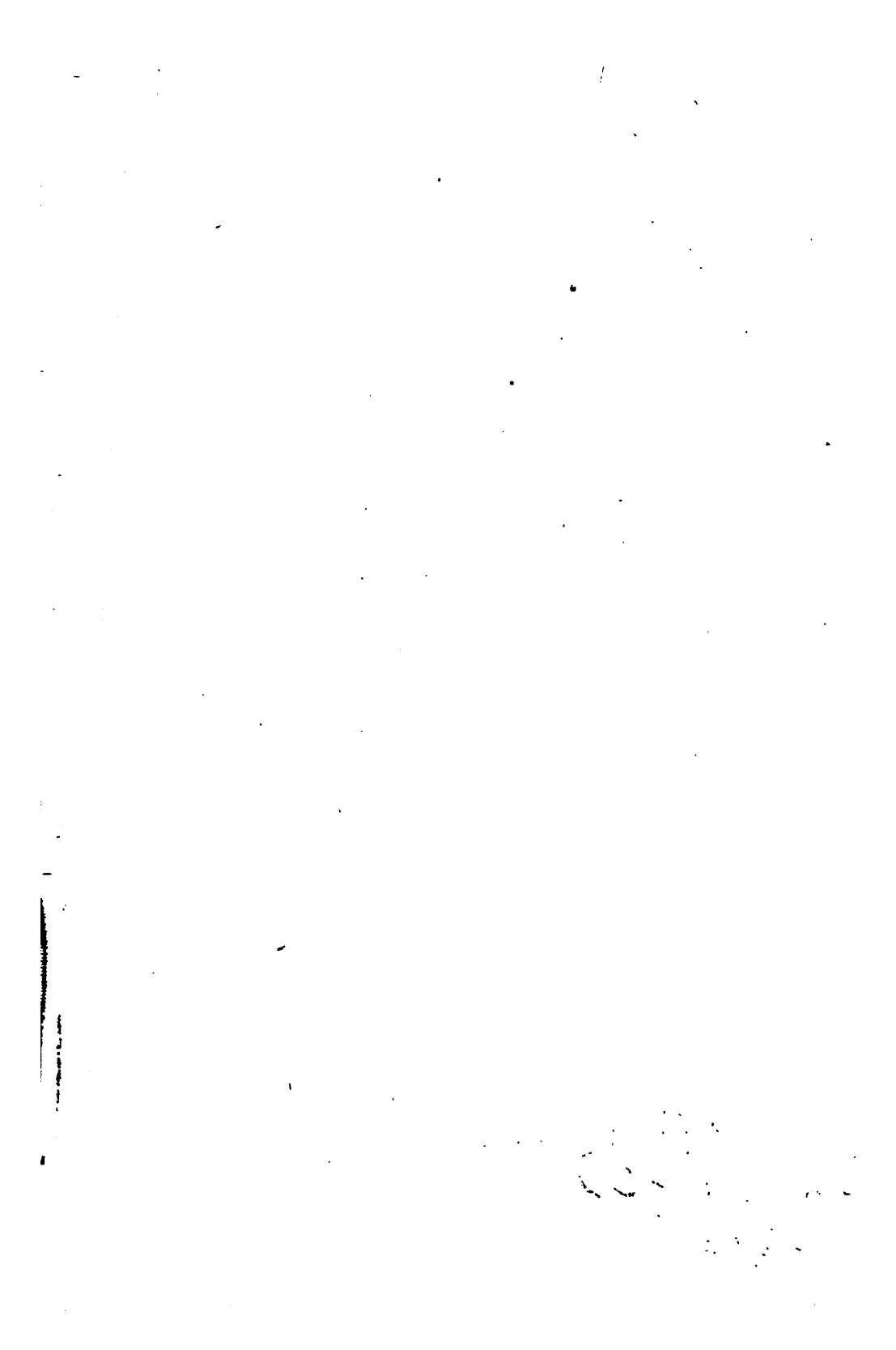
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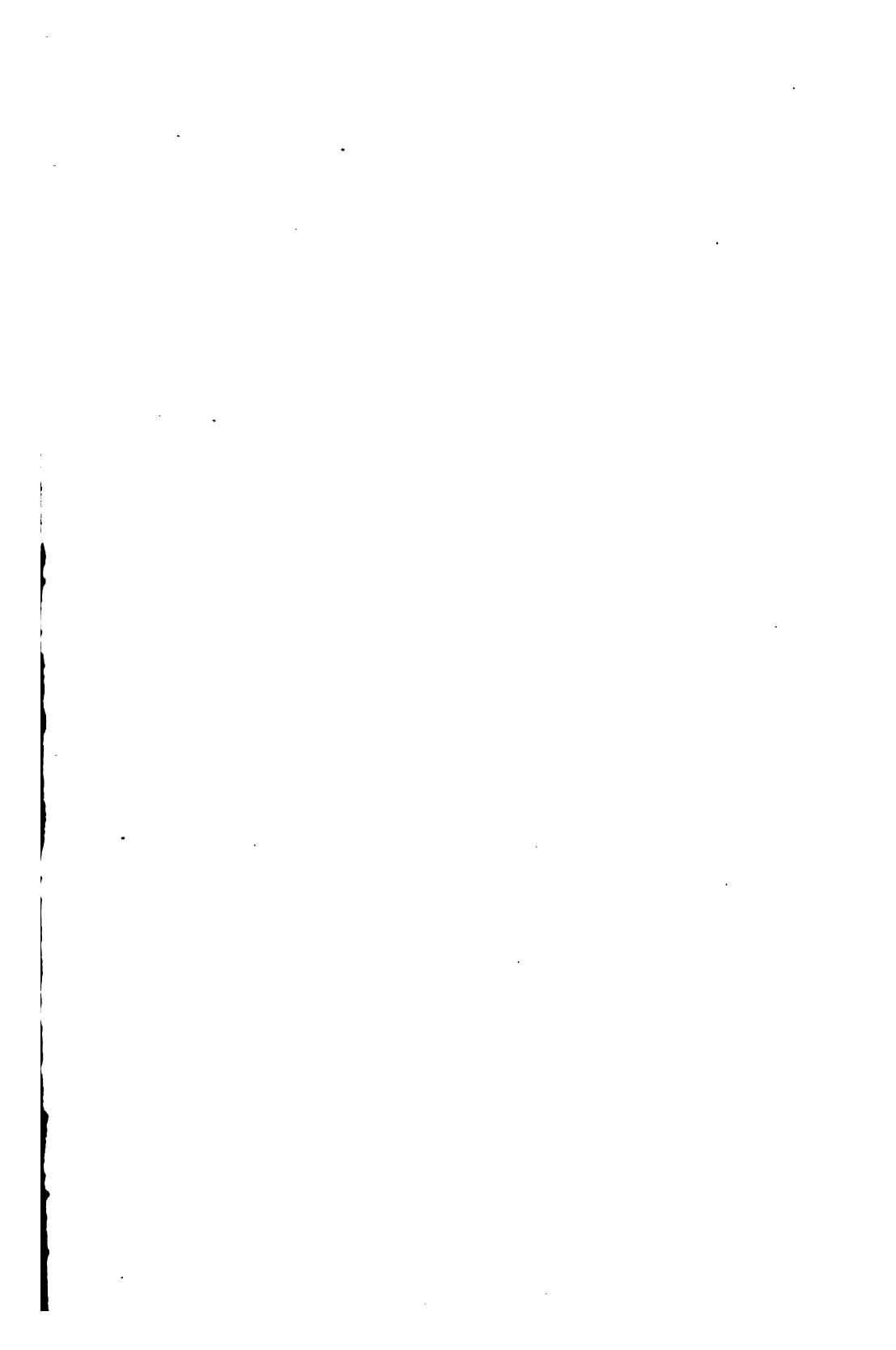
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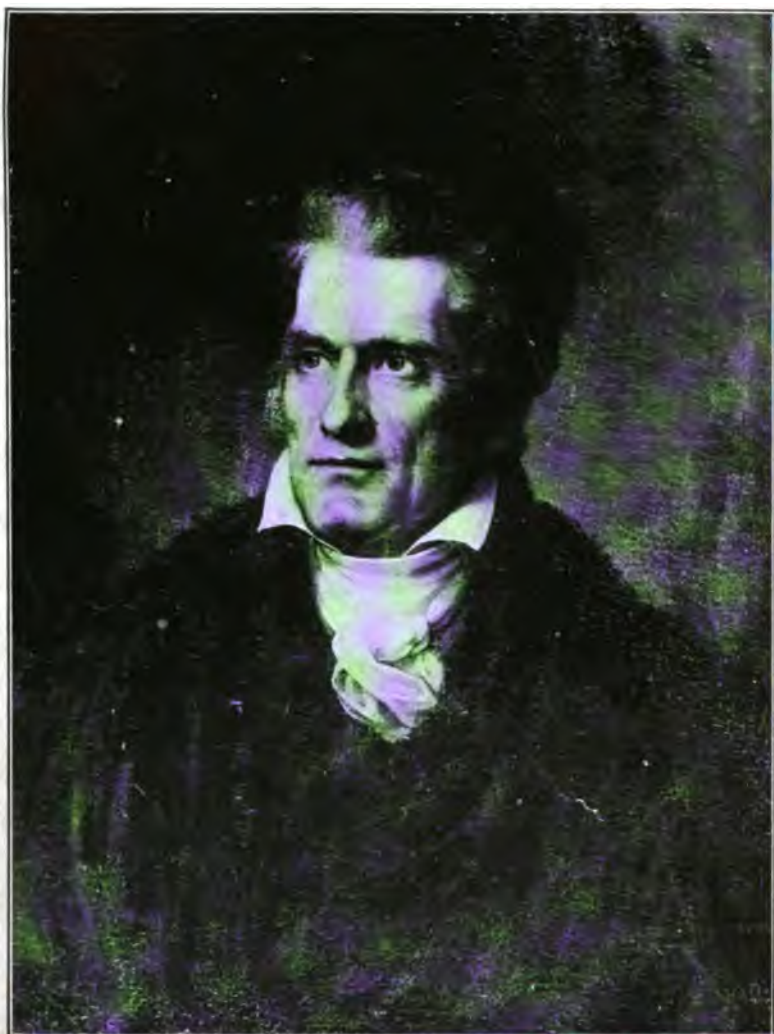
THE LIFE
OF
JOHN CALDWELL CALHOUN

COMPLETE IN TWO VOLUMES
VOLUME II



THE UNIVERSITY OF
CHICAGO

1950



J. C. Calhoun

PORTRAIT OF JOHN C. CALHOUN BY REMBRANDT PEALE

Frontispiece, Vol. II

THE LIFE OF JOHN CALDWELL CALHOUN

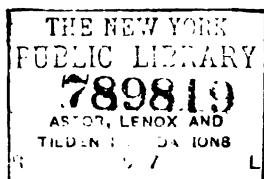
BY
WILLIAM M. MEIGS
Author of "The Life of Thomas Hart Benton,"
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Growth of the Constitution," and Other Works

COMPLETE IN TWO VOLUMES
VOLUME II



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THE LIFE OF JOHN C. CALHOUN

CHAPTER I

CALHOUN IN THE SENATE

Resolutions on the Nature of our Government — The Force Bill — Debate with Webster — The Compromise Act of 1833 — Repeal of Nullification — The Reasons of the Contest — The Result.

ON January 4, 1833, Calhoun took his seat for the first time in the Senate, which was destined to be the great field of his labors. He has himself described¹ as follows some of the scenes of the time:

Never was there, since the commencement of the government, a moment of more intense interest and anxiety throughout the whole Union and never before was any public man placed in a situation more difficult and responsible. The expectation was general that he [Calhoun] would be arrested as soon as he arrived in Washington; and on his way thither, wherever he stopped crowds collected to see him. Nor was the excitement less when he arrived at the seat of government, where he had been so long and familiarly known. When he appeared in the Senate to take his seat as a member in a body over which he had so long and recently presided, the gallery and chamber were thronged with spectators.

In a few days (January 14) Calhoun offered a resolution calling on the President for a copy of his proclamation and for the papers received from South Carolina, but upon being informed that they would probably come in with a message, agreed that his resolution should lie over. On the 16th, the

¹ "Autobiography," pp. 44, 45.

message covering the papers in question and asking for further powers (the Force Bill) came in, and Calhoun at once spoke upon the general subject, admitting that he was not in order but asking for indulgence. He reminds us that he had been out of the habit of public speaking for fifteen years, and adds that, when he reached the Senate that morning, he expected nothing of importance but to his surprise found the hall crowded and the Secretary in the midst of reading the message.²

It must indeed have been, as he writes, "a trying moment," but he could not delay and at once spoke in reply to the President and in defense of South Carolina's course. His feelings were naturally wrought up to a high pitch, now that he had the opportunity to defend his and his State's action, from a seat in the famed Senate of that day, and some one wrote of him:

"Mr. Calhoun spoke under a degree of excitement I have never before witnessed in a parliamentary body. His whole frame was agitated."³

Other accounts of this speech of Calhoun's have come down to us, and all agree in regard to his highly excited condition. Such a state of mind was to be expected under the circumstances, for here was a high-strung man of ultra intellectual cast, who had recently, and almost for the first time in his career, been the subject of bitter criticism on nearly all hands, yclept traitor and a thousand other hard names time and again, denounced, hated and threatened with arrest and trial for grave crimes; and now, at length, the focal moment had come when he was to defend himself in the very highest arena of the country. His intellectual make-up has rarely been surpassed or even equalled, but he had not the iron-and-adamant

² "Autobiography," p. 45. Calhoun writes that the message came in the next day and not the day after the next, as he had been told it would, but the record is that his resolution was offered on Monday the 14th, postponed the 15th, upon Grundy's suggesting that the message and documents would come in Thursday *or sooner*, and that the message actually came in the 16th. Congressional Debates, Vol. IX, Part I, 1832-33, pp. 99, 100.

³ The Charleston "Courier" of January 29, 1833, quoting the Richmond "Inquirer" of the 22nd and the Baltimore "Patriot."

physique to stand this trial without feverish excitement, and we may probably assume that sleepless nights and days of restless anxiety had long been his hard lot. He stood indeed at bay. Political death and ruin stared him in the face.

To his mind, on the other hand, the remedy, which he had been so largely the means of inducing South Carolina to adopt, and which the vast horde of his enemies barked at so loudly and easily dismissed as treason, was absolutely demonstrated by the arguments he advanced to be not only constitutional, as well as proper under the circumstances, but to have been plainly pointed out years before by those very ones of the fathers, who had had a leading hand in founding our government.

Can we wonder that his emotions were highly wrought up and that he doubtless did betray, as writers tell us he did, a degree of excitement which must necessarily have taken away from the effect of his presentation of the case? Petigru, for instance,—a man of vast power, but of quite a different cast, wrote ⁴ of the speech and of the evidently coming debate between Calhoun and Webster:

Expectation is big with the approaching conflict between these two champions. The first round was only a preliminary, but it is plain Webster took the upper hand, and Calhoun betrayed a most feverish excitement.

Jackson, too, wrote ⁵ on the very evening of his message and of Calhoun's speech that Calhoun "let off a little of his ire against me to-day in the Senate, but was so agitated and confused that he made quite a failure and was replied to with great dignity and firmness by Major Forsyth."

⁴ Letter of February 5, 1833, to Hugh S. Legaré, printed in Joseph Blyth Allston's "Life and Times of James L. Petigru," in the Charleston "Sunday News," January 21 to June 17, 1900: number of May 27. Petigru evidently referred to a short discussion on preliminary matters on January 28, "Congressional Debates," *ut supra*, pp. 236-244.

⁵ Charles J. Stille's "Joel R. Poinsett" in "Pennsylvania Magazine" (1888) Vol. XII, pp. 284, 285. Forsyth's speech was the one in which he asserted that there was a clear distinction between the instance of resistance to the federal power in South Carolina and the like action in Georgia, and thus defended Jackson from Calhoun's charge of inconsistency in dealing with the two cases. Congressional Debates, IX, Part I, 1832-33, pp. 103, 104.

Some one else, too, who is said to have been an eyewitness, describes the scene as follows :

There was hushed silence in the Senate chamber, and the deep emotion of the Speaker was reflected in the faces of his auditors. He apologised for his excitement on the ground that he had not spoken in a deliberate assembly for sixteen years. . . . His back was against the railing which separated the Senate from the Lobby. There was a long desk before him. He had pushed the chairs out of his way, to the ends of the desk, and delivered his speech, walking rapidly from side to side of his cage.⁶

We must, then, accept the tales of the speaker's excitement, and admit that this was a detraction; but it by no means follows that the speech was a failure, as enemies maintained. The sequel will show, too, that almost single-handed, Calhoun easily held his own in the struggle, and in some respects fairly out-generalled his leading opponent, the greatest advocate of the American bar. Jackson's message was referred to the Committee on the Judiciary, and it soon reported the "Force Bill," extending the jurisdiction of the United States Courts with a view to meet the recent laws of South Carolina and vastly increasing the powers of the President. On January 22 three resolutions⁷ were introduced by Calhoun,—who was then and ever after most bitterly opposed to this law,—ex-

⁶ "Calhoun as a Lawyer and Statesman," by Walter L. Miller of the South Carolina (Abbeville) bar, in "Green Bag," Vol. XI, p. 275. Miller was a prominent lawyer of Abbeville.

⁷ These resolutions ("Works," Vol. II, pp. 262, 263) read as follows:

"Resolved, That the people of the several States composing these United States are united as parties to a constitutional compact, to which the people of each State acceded as a separate and sovereign community, each binding itself by its own particular ratification; and that the Union of which the said compact is the bond, is a union *between the States* ratifying the same.

Resolved, That the people of the several States thus united by the constitutional compact, in forming that instrument, and in creating a General Government to carry into effect the objects for which it was formed, delegated to that Government, for that purpose, certain definite powers, to be exercised jointly, reserving, at the same time, each State to itself, the residuary mass of powers, to be exercised by its own separate government; and that, whenever the General Government assumes the exercise of powers not delegated by the compact, its acts are unauthorized, void, and of no effect; and that the said Government is not made the final judge of the powers delegated to it, since that would make its discretion, and not the constitution, the measure of its powers: but that, as in all other cases of compact among sovereign parties, without any

pressing the fundamentals of his beliefs as to the nature of the Union. He tells us⁸ that his purpose was to "have a preliminary discussion, and to take the sense of the Senate on the principles involved in the issue, before the bill was called up," and it may be surmised that he was also guided by a desire to secure the right of closing the debate, as he would be entitled to do on resolutions of his own. It will be found that Webster was equally anxious as to this latter point, and there was some little fencing and sparring in regard to the matter between these two great leaders. Both knew too well the advantage of the final speech. The Senate declined to take up Calhoun's resolutions before the bill, as he wished should be done, and debate on the proposed law then began. Grundy, as chairman, was to close, and Calhoun waited long for Webster to speak, but the latter, though a member of the committee which had prepared the measure, was evidently not anxious for the discussion.

Finally, one of Webster's friends told Calhoun, who was still waiting to hear from that leading champion, that Webster would not speak first; hence, no choice was left. Calhoun spoke on Friday and Saturday, February 15 and 16, "and conjecturing that Mr. Webster intended to speak to the prin-

common judge, each has an equal right to judge for itself, as well of the infraction, as of the mode and measure of redress.

Resolved, That the assertions that the people of these United States, taken collectively as individuals, are now, or ever have been, united on the principle of the social compact, and, as such, are now formed into one nation or people, or that they have even been so united, in any one stage of their political existence; that the people of the several States composing the Union have not, as members thereof, retained their sovereignty; that the allegiance of their citizens has been transferred to the General Government; that they have parted with the right of punishing treason through their respective State Governments; and that they have not the right of judging, in the last resort, as to the extent of powers reserved, and, of consequence, of those delegated, are not only without foundation in truth, but are contrary to the most certain and plain historical facts, and the clearest deductions of reason; and that all exercise of power on the part of the General Government, or any of its departments, deriving authority from such erroneous assumptions, must of necessity be unconstitutional—must tend directly and inevitably to subvert the sovereignty of the States—to destroy the federal character of the Union, and to rear on its ruins a consolidated government, without constitutional check or limitation, which must necessarily terminate in the loss of liberty itself."

⁸ "Autobiography," p. 45.

ciples involved and not to the provisions of the bill, he spoke at large on a variety of points, which he thought required explanation in connexion with the course of South Carolina, and but slightly touched on the principles which he had affirmed or negatived in his resolutions, in order to deprive Mr. Webster of the advantages he aimed at in reserving himself for the reply. He was right in his conjecture. The moment he sat down, Mr. Webster rose to reply, but he spoke, as he anticipated, not on the bill, but to the resolutions, without assailing or controverting any of the positions taken by Mr. Calhoun in his speech. This gave him a claim to be heard on his resolutions; and the Senate accordingly permitted him to call them up, and assigned a day in order to give him an opportunity of replying to Mr. Webster in their support." * So Calhoun secured the right of reply after all.

Some letters of Webster fully bear out these assertions. He was in correspondence with Judge Hopkinson and wrote him several times during the approach and progress of the debate. Thus, on February 3rd,—after both the Force Bill and Calhoun's Resolutions had been presented and the Senate was debating the bill and had tabled the resolutions,—Webster informed the judge:

Mr. Calhoun hangs back. He says his principles are already stated [in the resolutions?] and he expects the right of final reply. I have nothing to say unless we hear from him. At present, he has only given us the Articles of the South Carolina faith, which we have seen and heard often enough before. I have no wish to speak personally. I should be more likely, I am sure, to lose than to gain, by a new effort on these topics; yet, if we hear from Mr. Calhoun, I shall attempt to answer him.

Again, on Saturday the 9th, six days later, Webster wrote:

Mr. Calhoun, it was said yesterday, would speak on Monday or Tuesday. I doubt it. You are entirely right about his present condition and present ability. He cannot, I am fully persuaded, make a coherent, able, argumentative speech [doubtless these words refer to his having been out of the habit of public

* *Ibid.*, p. 46. "Calhoun's Works," Vol. II, pp. 262, *et seq.*, p. 266. "Congressional Debates," Vol. IX, Part I, 1832-33, pp. 243, 244, 602.

speaking for fifteen years]. I have considered his Resolutions; and if he *should* speak, however little he may have to say, *they* will offer me matter. I rather prefer he should not speak, for I am not in very good health, having had a little of rheumatism, to which I have been sometimes subject; but if he should come out, I must of course attempt some reply.

Again on "Friday evening," evidently February 15, Webster wrote:

Mr. Calhoun spoke to-day. As a constitutional argument it is too inconsiderable for an answer,—truly there is nothing in it. Mr. Calhoun may say "*Non sum qualis eram.*" He has an additional hour to-morrow, and I shall answer him. I wish not to speak, but it seems unavoidable. Courage! I cannot better the matter of 1830,—nor equal it—but I will try not to show evidence of senility.¹⁰

Thus, the battle was on between these two giants of the Senate of that day. There had been hesitation on both sides and an anxious desire of each to secure advantages of position. Possibly we must also put down some of Webster's deprecating remarks to mock modesty, but he knew his opponent doubtless too well to feel overly confident. He seems to have fallen directly into the trap which Calhoun had fairly enough set for him, and thus the brilliant advocate who was in daily practice was outwitted on this point by him who had not once in fifteen years engaged in such fence. It has been seen that Webster thought very poorly of Calhoun's first speech but he of course did not know that his opponent had purposely held back much of his fire. It would be interesting to know what Webster thought, as he listened to the second speech, in regard to Calhoun's ability to make "a coherent, able argumentative speech."

Webster had to some extent admitted ¹¹ that, if the Consti-

¹⁰ Letters in the Hopkinson collection, *ut supra*. None of these three letters is dated with the year, but their internal evidence is conclusive.

¹¹ Calhoun asserts this broadly in his "Autobiography," p. 46, and also in his speech on his resolutions ("Works," Vol. II, pp. 301, 302) in the Senate. Probably he referred to the portions of Webster's chief speech to be found in "Webster's Works" (ed. 1851) Vol. III, pp. 458, 464, 465; but it may be doubted whether Webster would have admitted the concession.

tution was a compact between the States, Calhoun's contentions were justified, and then he went on to attempt to prove that the facts were not as asserted by his opponent. Whether he succeeded in this must be left to each student to decide for himself. Many are beyond doubt to-day coming to think with Calhoun upon this point and to feel that our Union was, or at least started as, a league between States.

Calhoun writes,¹² moreover, that the *North American Review*, then published in Boston under the editorship of Alexander Everett, admitted that he had successfully maintained his ground on that point and he records, with evident gusto, that Randolph was in the Senate chamber, probably for the last time in his life and much broken in health, sat near Calhoun during his speech and at its close "openly and highly complimented him for the ability and success of his reply, which he regarded as unanswerable."¹³

Calhoun's speech upon this occasion does not lend itself well to the purpose of representing his views in general. Too much of it consists of rather sharp reply intended to show the untenability of portions of Webster's reasoning and his audacious assertions as to facts,¹⁴ but the following¹⁵ extracts will show how easily Calhoun pricked some of these latter and will perhaps give a fair idea of the basis and reasons for the South Carolinian's belief as to the nature of our Government.¹⁶

¹² "Autobiography," p. 46. I am unable to verify this statement literally, but it is not far wrong, if we allow for a slight confusion of memory. The only article upon the subject, dated after the debate, which I can find in the "Review,"—"The Union and the States,"—is in the number for July, 1833, Vol. XXXVII, pp. 190-249; but its whole argument seems to me far from making the admission in question. The article is anonymous, and probably editorial. Doubtless Calhoun in reality had in mind an earlier anonymous and probably editorial article on "Nullification" printed in the number for January, 1833 (Vol. XXXVI, pp. 205-75), and therefore antedating the debate. This article does (pp. 226, 227) to some extent admit that, if the facts were as stated by Calhoun in his letter to Governor Hamilton, the conclusions would follow.

¹³ "Autobiography," pp. 46, 47. This story is also told by Walter L. Miller, in "Calhoun as a Lawyer and Statesman" ("Green Bag," Vol. XI, p. 277), where it runs that, after Calhoun's speech, Randolph whispered to a senator: "Webster is dead; I saw him dying an hour ago."

¹⁴ I cannot think that Webster would have advanced some of his arguments, or have ventured on some of his facts, but that he did not expect to be answered.

¹⁵ "Works," Vol. II, pp. 262-309.

¹⁶ The reader desirous of reading Calhoun's views more at length can,

The Senator from Massachusetts, in his argument against the resolutions, directed his attack almost exclusively against the first; on the ground, I suppose, that it was the basis of the other two, and that, unless the first could be demolished, the others would follow of course. In this he was right. As plain and as simple as the facts contained in the first are, they cannot be admitted to be true without admitting the doctrines for which I and the State I represent, contend. He (Mr. W.) commenced his attack with a verbal criticism on the resolution, in the course of which he objected strongly to two words, "constitutional" and "accede." To the former, on the ground that the word, as used (constitutional compact), was obscure—that it conveyed no definite meaning—and that the constitution was a noun-substantive, and not an adjective. I regret that I have exposed myself to the criticism of the Senator. I certainly did not intend to use any expression of doubtful sense, and if I have done so, the Senator must attribute it to the poverty of my language, and not to design. I trust, however, that the Senator will excuse me, when he comes to hear my apology. In matters of criticism, authority is of the highest importance, and I have an authority of so high a character, in this case, for using the expression which he considers so obscure and so unconstitutional, as will justify me even in his eyes. It is no less than the authority of the Senator himself—given on a solemn occasion (the discussion on Mr. Foote's resolution), and doubtless with great deliberation, after having duly weighed the force of the expression.

[Here Mr. C. read from Mr. W.'s speech in reply to Mr. Hayne W.'s reference to the partial representation in the house of the South's slaves, and further as follows:]

"Nevertheless [so Webster had continued], I do not complain, nor would I countenance any movement to alter this arrangement of representation. It is the original bargain—the compact—let it stand; let the advantage of it be fully enjoyed. The Union itself is too full of benefits to be hazarded in propositions for changing its original basis. I go for the constitution as it is, and for the Union as it is. But I am resolved not to submit in silence to accusations, either against myself individually, or against the North, wholly unfounded and unjust accusations

in my opinion, not do better than turn to his letter to Governor Hamilton, "Works," Vol. VI, pp. 144-193; see, also, the early portions of his "Discourse on The Constitution," etc., "Works," Vol. I, pp. 111 *et seq.*

which impute to us a disposition to evade the CONSTITUTIONAL COMPACT, and to extend the power of the Government over the internal laws and domestic conditions of the States."

. . . The Senator clearly perceived that if the constitution be a compact, it was impossible to deny the assertions contained in the resolutions, or to resist the consequences which I had drawn from them, and, accordingly, directed his whole fire against that point; but, after so vast an expenditure of ammunition, not the slightest impression, so far as I can perceive, has been made. But, to drop the simile, after a careful examination of the notes which I took of what the Senator said, I am now at a loss to know whether, in the opinion of the Senator, our constitution is a compact or not, though the almost entire argument of the Senator was directed to that point. At one time he would seem to deny directly and positively that it was a compact, while at another he would appear, in language not less strong, to admit that it was.

I have collated all that the Senator has said upon this point; and, that what I have stated may not appear exaggerated, I will read his remarks in juxtaposition. He said that

"The constitution means a government, not a compact. Not a constitutional compact, but a government. If compact, it rests on plighted faith, and the mode of redress would be to declare the whole void. States may secede if a league or compact."

I thank the Senator for these admissions, which I intend to use hereafter. [Here Mr. C. proceeded to read from his notes.]

"The States agreed that each should participate in the sovereignty of the other."

Certainly, a very correct conception of the constitution; but when did they make that agreement but by the constitution, and how could they agree but by compact? . . .

The next argument which the Senator advances to show that the language of the Constitution is irreconcilable with the idea of its being a compact, is taken from that portion of the instrument which imposes prohibitions on the authority of the States. He said that the language used in imposing the prohibitions is the language of a superior to an inferior; and that, therefore, it was not the language of a compact, which implies the equality of the parties. As a proof, the Senator cited several clauses of the constitution which provide that no State shall enter into treaties

of alliance and confederation, lay imposts, &c., without the assent of Congress. If he had turned to the articles of the old confederation, which he acknowledges to have been a compact, he would have found that those very prohibitory articles of the constitution were borrowed from that instrument; that the language which he now considers as implying superiority was taken *verbatim* from it. If he had extended his researches still further, he would have found that it is the habitual language used in treaties, whenever a stipulation is made against the performance of any act. . . .

We will now proceed to consider some of the conclusions which necessarily follow from the facts and positions already established. They enable us to decide a question of vital importance under our system: Where does sovereignty reside? If I have succeeded in establishing the fact that ours is a federal system, as I conceive I conclusively have, that fact of itself determines the question which I have proposed. It is of the very essence of such a system, that the sovereignty is in the parts, and not in the whole; or, to use the language of Mr. Palgrave, the parts are the units in such a system, and the whole the multiple; and not the whole the unit and the parts the fractions. Ours, then, is a government of twenty-four sovereignties, united by a constitutional compact, for the purpose of exercising certain powers through a common government as their joint agent, and not a union of the twenty-four sovereignties into one, which, according to the language of the Virginia Resolutions, already cited, would form a consolidation. . . .

Another consequence is equally clear, that, whatever modifications were made in the condition of the States under the present constitution, they extended only to the exercise of their powers by compact, and not to the sovereignty itself. . . . The plain state of the facts, as regards our Government, is, that these States have agreed by compact to exercise their sovereign powers jointly, as already stated; and that, for this purpose, they have ratified the compact in their sovereign capacity, thereby making it the constitution of each State, in nowise distinguished from their own separate constitutions, but in the superadded obligation of compact—of faith mutually pledged to each other. In this compact, they have stipulated, among other things, that it may be amended by three-fourths of the States: that is, they have conceded to each other by compact the right to add new powers

or to subtract old, by the consent of that proportion of the States, without requiring, as otherwise would have been the case, the consent of all; a modification no more inconsistent, as has been supposed, with their sovereignty, than any other contained in the compact. In fact, the provision to which I allude furnishes strong evidence that the sovereignty is, as I contend, in the States severally, as the amendments are effected, not by any one three-fourths, but by any three-fourths of the States, indicating that the sovereignty is in each of the States.

If these views be correct, it follows, as a matter of course, that the allegiance of the people is to their several States, and that treason consists in resistance to the joint authority of the *States* united, not, as has been absurdly contended, in resistance to the *Government* of the United States, which, by the provision of the constitution, has only the right of punishing. . . .

I have now replied to the arguments of the Senator from Massachusetts so far as they directly apply to the resolutions, and will, in conclusion, notice some of his general and detached remarks. To prove that ours is a consolidated government, and that there is an immediate connection between the Government and the citizen, he relies on the fact that the laws act directly on individuals. That such is the case I will not deny; but I am very far from conceding the point that it affords the decisive proof, or even any proof at all, of the position which the Senator wishes to maintain. I hold it to be perfectly within the competency of two or more States to subject their citizens, in certain cases, to the direct action of each other, without surrendering or impairing their sovereignty. . . . With the same view, the Senator cited the suability of the States as evidence of their want of sovereignty; at which I must express my surprise, coming from the quarter it does. No one knows better than the Senator that it is perfectly within the competency of a sovereign State to permit itself to be sued. We have on the statute-book a standing law, under which the United States may be sued, in certain land cases. If the provision in the constitution on this point proves any thing, it proves, by the extreme jealousy with which the right of suing a State is permitted, the very reverse of that for which the Senator contends. . . .

Webster at once answered Calhoun's speech¹⁷ very shortly;

¹⁷ Congressional Debates, Vol. IX, Part I, 1832-33, pp. 774-7.

but he added little more than bold assertion to what he had already said; and the effort to explain his own reference to the Constitution as a "constitutional compact" in the debate with Hayne was very tenuous. The point is of little moment, but probably all public men had repeatedly used that term against which Webster had poured out such overflowing measure¹⁸ of his wonderful oratory, and any student of the Convention of 1787 will be among the last to dispute its accuracy. Webster had slightly varied the expression in his earlier years and spoken of the "national compact."¹⁹ Calhoun said nothing more, nor did he ask for a vote on his resolutions,²⁰ evidently because Grundy's substitute would have taken precedence and have been approved.

This duel between these two great leaders by no means went by without causing feeling between them. Calhoun was too much in a minority, and far too generally and severely criticized for the case to be otherwise with a man who felt the purity of his motives. He spoke in the Senate a few years later²¹ of the unfriendly feelings then prevailing between himself and Webster and said that it was the first instance in which they had exchanged words of a personal tendency.²²

But the subject under debate at this time did not touch directly the real point at issue, the Tariff. Upon that question an apparently irreconcilable conflict was pending, and in less than two months a clash of arms might at any moment precipitate a contest, the outcome of which no man could then or can now know. It was and is impossible to determine to what extent the sentiment of nationality had by that time grown and whether or no the country would have tolerated the marching

¹⁸ John Quincy Adams ("Memoirs," Vol. VIII, p. 526) heard parts of Webster's chief speech and wrote that the "argument was to prove that the Government of the United States was a Government of the people, and not a compact between States. It is both; and all constitutional government is a compact. . . . Webster is a very handsome speaker, but he overlabored a point as plain as day, and he hung his cause upon a broken hinge in maintaining that a Government is not a compact."

¹⁹ Speech in 1812, before the Washington Benevolent Society of Portsmouth, in Curtis's "Webster," Vol. I, pp. 102, 103.

²⁰ Congressional Debates, Vol. IX, Part I, 1832-33, p. 785.

²¹ Speech of 1838 on the Independent Treasury Bill, "Works," Vol. III, p. 256.

²² "Works," Vol. III, pp. 279, *et seq.*

throughout the land of Federal armies, designed to crush with blood and iron one of those States, which were then still widely regarded as the very creators of the Federal Government and as endowed with the proud gift of sovereignty. It is easy to denounce with glib tongue the settlement that was made as cowardly and quite unnecessary on the part of the Union, but these hasty historians do not live under the shadow of the responsibility of the day. They remind one of the German burgher in "Faust" who found nothing more enjoyable than a Sunday afternoon's talk of war and war's alarms,—when, far off in Turkey, armed hosts were rushing upon each other.

The public men of 1832–33 were nearly to a man in great anxiety.²³ Jackson, perhaps the strongest of them all, had long been seeking for a settlement, and was,—beyond doubt and despite all his bluster,—genuinely alarmed. Clay was equally alarmed, and Calhoun's anxieties and responsibilities were so terrible that he may well have been even more so. Webster alone of the great trio, and the weakest of them all in point of character, pretended to great boldness and to wish the contest precipitated; but he was far removed from responsibility, and was probably but straining to show consistency with the principles maintained in his debate with Hayne. He had, moreover, not been consulted as to the terms of the settlement to be made.

What was done by the leaders who actually moulded public events? As early as December 27, Verplanck, of the Ways and Means, reported in the House a new tariff bill, which was well understood to be based on the views of the Secretary of the Treasury, and may doubtless be assumed to have had also the general approval of Jackson. Not only was this measure one of sweeping reductions in the rates, but it was introduced

²³ Nor was the anxiety confined to the public men. Mrs. Smith wrote to her sister on Christmas-Day, 1832: "And Mr. Calhoun, will his high soarings end in disappointment and humiliation or be drowned in blood? However he may now err, he is one of the noblest and most generous spirits I have ever met with. I am sure *he* is deceived himself, and believes he is now fulfilling the duty of a true PATRIOT. What a happy nation we were! Alas, and may we not write, we *are*? The impending political storm, as you may easily suppose, is almost the exclusive object of interest and conversation." Mrs. Smith's "First Forty Years of Washington Society," pp. 341, 342.

within six months of the passage of the Act of July, 1832, which had been declared to be our permanent system of revenue, and before the latter had even gone into effect. Verplanck's bill, besides making large reductions at once, proposed by 1834 to reduce the duties to about 15 or 20 per cent. It is quite true that the measure was persistently delayed and never became a law, but this was because it was substituted by another, and it at least serves to show very clearly the feelings of the administration.

Clay had been too prominent in tariff matters to allow the struggle to be settled without having a leading hand. The author of the "American system" could not afford to sit still and see his own issue snatched away from his control. Nor was political self-interest his only motive. There is no doubt but that he was also sincerely fearful that the protective system would be swept from the statutebook,²⁴ South Carolina's stand, so far as opposition to the tariff was concerned, had almost universal support²⁵ throughout the South and a good deal in the North, and there was much evidence that Jackson was opposed to the existing system and inclined to go a long way towards meeting the wishes of his Unionist friends. Clay evidently took the matter up at an early day and was seeking, in his rôle as the great Compromiser, for a plan to settle the pending struggle, some time before the Verplanck bill showed how radical the administration was inclined to be.

²⁴ Clay repeatedly said that he was guided in his course by two leading motives, one to avert civil war and the other to preserve the protective policy, adding that he believed the latter would otherwise have been swept away and referring to the Verplanck bill as threatening it with total subversion. See, *e.g.*, his letter of August 22, 1844, to Clayton (Calvin Colton's "Clay," Vol. II, pp. 259-61) evidently in acknowledgment of a then recent speech of Clayton's upon the subject, which the latter had sent to Clay (*ibid.*, pp. 252-59), and his speech of 1838 quoted in Benton's "View," Vol. II, p. 123, where he said he thought this would have happened "probably at the next session of Congress, by the tremendous power of the individual who then filled the Executive chair." Clayton's opinion was the same. See his speech of 1844 in Colton's "Clay," Vol. II, pp. 252-254.

²⁵ Clayton said in his already quoted speech of 1844: "It is due to truth to say that at that time South Carolina had many sympathizers and not a few adherents, in other parts of the country. We were every day in danger of a collision which might terminate in bloodshed." Colton's "Clay," Vol. II, p. 254.

Soon after the middle of December, if not earlier in the month, he told Webster²⁶ at Philadelphia that he had prepared a plan to settle the tariff difficulty, and Webster was later shown the draft of this bill by some one else. A most complete surrender to the South it was in one sense, for it promised to *abandon* protection, but despite this, South Carolina would never have accepted it, for the existing laws were to remain unchanged for seven long years. A curious offer indeed to both sides it seems to have been, for the draft read that the existing laws should continue in force until March 3, 1840, and should then all be repealed, "and from and after the aforesaid day, all duties collected upon any article whatever of foreign importation shall be equal according to the value thereof, and solely for the purpose and with the intent of providing such revenue as may be necessary to an economical expenditure of the Government, *without regard to the protection or encouragement of any branch of domestic industry whatever.*"²⁷

Upon arriving in Washington, Clay did not give up his design, but had repeated conferences with Appleton and Davis, strong tariff men in the Massachusetts delegation, and presumably showed them his draft. In urging either this or some other plan, he "labored hard to convince us," said Appleton later,²⁸ "that it meant no abandonment [of protection],—that no future Congress would be bound by the act," but in vain. Calhoun, too, probably soon saw the draft or knew of its contents; and of course the Verplanck bill was publicly known from the end of December or earlier.

Calhoun wrote South as early as January 10, 1833, that "the prospect is good for a satisfactory adjustment. It begins to be felt that we must succeed, and in proportion

²⁶ Curtis's "Webster," Vol. I, pp. 434, 435. Curtis writes that this occurred several days after the issue of Jackson's proclamation (December 10th). Clay reached Washington and took his place in the Senate on the 10th, but made later a business visit to New York, and was in Philadelphia on the 17th. "The National Intelligencer" of Dec. 10, 11, and 19, 1832.

²⁷ Curtis's "Webster," Vol. I, pp. 434, 435.

²⁸ Speech of July 5, 1842, in the House; "Congressional Globe," Second Session, Twenty-Seventh Congress, "Appendix," p. 575; Taussig's "Tariff History," p. 112.

as that is felt, the disposition to adjust the controversy increases."

These indications, the awful tenseness of the situation and the move in Virginia for intervention, were doubtless the main causes leading to another step of vital importance in the matter. In the Circus at Charleston, on January 21 a meeting of the State Rights and Free Trade party was held, at which as many as two thousand were said to be present. Many of the leaders attended, and their controlling purpose evidently was to postpone Nullification to a later date than February 1, which had been fixed upon by the Convention. This informal body, — strangely extra-legal in a contest based on such ultra strict theory as was Nullification, — denounced the principles of Jackson's message, asserted the right of secession, maintained that there was no power to coerce a State, but then declared as their sense that, pending the measures under consideration, "all occasion of collision between the Federal and State authorities should be sedulously avoided on both sides in the hope that the painful controversy in which South Carolina is now engaged may be thereby satisfactorily adjusted, and the Union of these States be established on a sure foundation." A correspondent of the *Courier* ridiculed the meeting and said that, without guns, the military chest empty, and the army not ready, "the awful truth now breaks upon their leaders, that, if the conflict is enforced upon Nullification, they are inevitably crushed. . . . Their only hope is now Disunion."²⁹

Thus was Nullification postponed, and time left for a settlement to be arrived at in Washington. There can be no doubt in my opinion that a main cause leading to the postponement by the South Carolinians was that the situation had grown too acute to be borne. With the man of iron in the Presidential chair hurling defiance and threatening armies of forty thousand men to crush them,³⁰ their leaders were only too glad to be

²⁹ The Charleston "Mercury" and the "Courier," both of January 23, 1833.

³⁰ Letters of Jackson to Poinsett of January, 1833, quoted in McMaster's "United States," Vol. VI, pp. 162, 163, from the Poinsett MSS. in the Historical Society of Pennsylvania. In one of these letters, Jackson promised, in case of need, to send ten or fifteen thousand men to Charleston in ten or fifteen days, and twenty or thirty thousand to the interior.

able to accept gracefully the offer of mediation from Virginia, and the hoped-for olive branch. They did not want and had never designed to plunge their State into the horrors of war.

We must return now to the halls of Congress and the effort to patch up a settlement, which was rendered possible by this action in South Carolina. There seems to have been a time during which Clay held back, but it can at most not have been for long. His picturesque story⁸¹ of a later date was that at some time, Clayton, looking at the alleged "haggard looks and . . . anxious and depressed countenance" of Calhoun and the other South Carolinians, said to him that they were "clever fellows, and it will never do to let old Jackson hang them," and urged him to bring about a settlement. Letting this pass as froth, it is clear that Clay and Calhoun had several interviews upon the subject, and these seem to have been asked for by Calhoun.⁸²

Exactly what occurred at the meetings became a subject of controversy later and was discussed between the two principals in their forensic duel of 1838. Both, of course, claimed that he had the upper hand, Calhoun insisting as to Clay, that "events had placed him flat upon his back,"⁸³ and adding: "I

In still another he wrote that he could march two hundred thousand men in forty days. Stillé's "Life and Services of Joel R. Poinsett," in "Pennsylvania Magazine," Vol. XII (1888), pp. 257-303: see especially pp. 285-87. James S. Rhett said in a public speech in 1844 that, when Nullification was about to be enforced, he was sent by the Union party on a secret mission to Jackson, and that the latter, "pointing to a drawer in his cabinet, . . . said he had there documents offering two hundred thousand volunteers for the suppression of the movement in Carolina." (Niles's "Register," Vol. LXVII, pp. 43, 44). It may be safely assumed that these dire threats leaked out rapidly and came to the ears of the Nullifiers.

⁸¹ Debate of 1838 between Clay and Calhoun, as printed in Benton's "View," Vol. II, pp. 97, *et seq.*; 113. Clay's letter of August 22, 1844, to Clayton. Colton's "Clay," Vol. II, pp. 259-61.

⁸² Curtis's "Webster," Vol. I, pp. 443, 444.

⁸³ Benton's "View," Vol. I, p. 122. Clay, of course, denied this and in reply to the intimation that Calhoun was then his master, burst out angrily, "Sir, I would not own him as my slave" (*ibid.*, p. 123). Calhoun's meaning was that Jackson's proclamation and message had rallied all the friends of protection to his side, while Webster's course further tended to rob Clay of all political advantage to be derived from the American system and to mark Webster and Jackson as the great guardians of those interested: see his speech in the Senate on January 3, 1840, "Congressional Globe," Twenty-Sixth Congress, First Session, pp. 96, 97.

wrote more than half a dozen letters home at the time to that effect"; while Clay replied that Calhoun was then in no position to dictate terms and had yielded as to every point on which he (Clay) insisted.

The truth is of course, that, as must always be the case with a compromise, both yielded much. The specific language of Clay's draft purporting to abandon protection was entirely omitted, and the figure to which the tariff was finally to be reduced was fixed at twenty per cent., instead of fifteen as Calhoun wanted.⁸⁴ In addition to this, it will be seen later that Calhoun was induced, or even forced, to vote openly in favor of some provisions which he greatly disliked. He knew, too, of course, from the very beginning that the terms of the compromise need not and were hardly likely to be carried out by future Congresses. Nor were they in the event.

Clay, on the other hand, either at these meetings with Calhoun or at some other time, agreed to alter his original draft most extensively. Not only was the free list largely increased, but the existing rates, instead of standing until 1840, were to be gradually reduced,—at first each second year by ten per cent. of the excess above twenty per cent. and then much faster,—so that in 1842 all duties would stand at a horizontal figure of twenty per cent. This was an enormous concession and placed the bill closely on a par with that of Verplanck, which it substituted.

A leading writer upon the subject says:⁸⁵ "By 1842 duties

⁸⁴ In a letter of October 16, 1840 (Library of Congress) Calhoun wrote Poinsett that the great points of the Compromise, so far as he was concerned, "were to obtain a distinct renunciation of the protective principle, accompanied by an affirmation of the opposite, that no more duty should be laid and for no other purpose, but for revenue, and that extended to the constitutional and economical wants of the government; and to make the reduction so gradual, without unnecessarily prolonging the process, as would avoid a shock to the manufactory establishments, which had grown up under the stimulus of the protective principle. Twenty per cent. was assumed by Mr. Clay, the framer of the bill, as the point to which the duties should be reduced, on the ground, as I understood, that no duty laid simply for revenue should exceed that amount. I thought it too high and insisted on fifteen, but acquiesced, on the ground, that the protective principle was distinctly yielded by the bill." Calhoun also at first proposed to allow seven years for the reduction, taking off one-seventh annually. Speech in the Senate of March 16, 1842, "Works," Vol. IV, p. 103.

⁸⁵ Taussig's "Tariff History," p. 63.

reached a lower point than that from which they had started in 1816"; and pro-tariff men of the day were in astonishment. Judge Story⁸⁶ wrote from Washington to a friend:

What think you of the late somerset here? The great champion of the American System has united with Mr. Calhoun. The protective system and the constitutional power to protect are to be abandoned.⁸⁷ Instead of a sudden destruction of life at a single blow, the patient is to be slowly bled to death. We have all been in amazement. . . .

The various lurid stories of the day, including the detailed one of Benton,⁸⁸ as to a midnight visit to Calhoun to warn him

⁸⁶ Letter of February 17, 1833, to Judge Hopkinson, in the Hopkinson collection in Philadelphia.

⁸⁷ This charge,—that the bill abandoned or gave up the constitutional right to protect,—was repeatedly made by Webster as well as others, but it can only have been advanced as a partisan argument against the measure. Of course, the bill did not purport to give up the right, nor could it have given it up. Even Clay's draft, though an amazing surrender to South Carolina in that particular, could not have found any future Congress. Clay said openly on the floor of the Senate, during the debate (Congressional Debates, Vol. IX, Part I, 1832-33, pp. 730, 738, 739), that no future Congress would be bound by the bill. At the same time it would, as a matter of fact, if unaltered, reduce the rates by 1842 closely to a revenue basis, and this must be what Calhoun meant by his letter of 1840 to Poinsett, where he says his effort was to obtain "a distinct renunciation of the protective principle." Here is the only possible ground for the claim of abandonment. The words of the 3rd section—that "from and after [June 13, 1842] all duties upon imports shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of Government"—did not renounce the right. Tyler did, however, cite them as binding on Congress in his Tariff Bill veto of June 29, 1842 ("Congressional Globe," Twenty-Seventh Congress, Second Session, pp. 694, 695); but this must have meant binding in honor and propriety merely.

⁸⁸ "View," I, pp. 342-4. Benton writes that not Clay and Calhoun but John M. Clayton, under the instrumentality of Gen. Jackson" was the real author of the Compromise, while Parton ("Jackson," Vol. III, pp. 478-81) says without authority that Jackson was opposed to the measure and shows from an entirely reliable source that Jackson tried in the end to prevent Clayton from being even appointed on the Senate Committee. Jackson did undoubtedly use very strong language against the South Carolina leaders (Curtis's "Webster," Vol. I, pp. 443, 444), and he wrote to Poinsett, that, should an armed force gather to resist the revenue laws in South Carolina "I stand prepared forthwith, to issue my proclamation warning them to disperse. Should they fail to comply . . . I will, forthwith, call into the field such a force as will overawe resistance . . . and arrest and hand over to the judiciary for trial and punishment, the leaders, excitors and promoters of this rebellion and treason." Letter of January 24, 1833, quoted from the Poinsett Papers, in the Historical Society of Pennsylvania, in McMaster's "United States," Vol. VI, pp. 162, 163, see also, *ante*, Vol. II, pp. 23, 24.

of his danger, his alarm for his personal safety and fear that Jackson would arrest, or even hang him, may be safely dismissed as due to the fumes of partisan rancor. There is no reason to seek such ignoble motives. Far higher and more likely ones lie close to hand. The whole future of the country was in grave danger, and any day or hour an armed clash might have occurred. In addition to this, Calhoun as well as Clay, though for quite other causes, was doubtless anxious for his political future. He had largely brought about the contest, which had come to assume such an ugly shape, and he must have been only too glad to lay hold of any fair plan of compromise, which would serve to relieve the existing tension and remove from him the awful responsibility under which he was laboring.

The bill agreed upon between Clay and Calhoun,—and possibly others,—was introduced into the Senate by Clay on February 12th; and when Calhoun shortly took the floor and announced that he would support it, there was “tumultuous applause” in the galleries. The measure soon met the objection that the Senate could not originate a revenue bill, so the leaders had it substituted in the House by Clay’s friend Letcher for the Verplanck bill there pending. It passed the House on February 26, apparently in pursuance of a caucus determination by the Jackson members,³⁹ and was then taken up by the Senate as a House bill.

During the later discussion, Clay moved an amendment to substitute the principle of home-valuation, to which Calhoun at once expressed his opposition and doubted whether he could vote for the bill with that provision in it. He regarded the provision, he said, as unconstitutional in that it in effect gave a preference to one port over another.⁴⁰

Clayton and Clay insisted upon the amendment, however, and further insisted (so Clayton said later) that the Southerners and Calhoun in particular should openly vote in its favor, or the bill would not be passed. And he moved to lay it on

³⁹ Appleton, in “Congressional Globe,” Second Session, Twenty-Seventh Congress, “Appendix,” p. 575.

⁴⁰ Congressional Debates, Vol. IX, Part I, 1832-33, pp. 462, 477, 478, 694, 697, 699-701, 785.

the table, telling the opponents of the provision (so he said in 1844) that there it would stay, "in which event, they must fight it out with the General Government." He almost immediately, however, withdrew the motion,—according to his statement, at the request of a nullifying member, in order to allow them to consider the matter.⁴¹

Perhaps, not a little of this account by Clayton of his triumph over the Southerners was due to unconscious exaggeration, as he fought his battle o'er again, but the fact remains that Calhoun and his friends did shortly vote for the amendment which he believed unconstitutional.

Upon giving his vote Calhoun stated⁴² on the floor that, "as the fate of the bill depended on the fate of the amendment," he had decided to vote for it, but on two conditions: (1) "that no valuation would be adopted which should come in conflict with the provision of the constitution" as to no preference of one port over another, and (2) none which should make the duties themselves an element in the valuation: and he called upon the reporters of the public press to notice particularly what he said, as he intended his declaration to be a part of the proceedings. Supporters of the amendment had stated in debate that no such regulation as he excepted was contemplated. Of course, Calhoun's statement was of no validity whatsoever, unless to show supporters his consistency.

The bill passed the Senate on March 1, by 29 to 16, Calhoun voting with the majority. On the same day the Force Bill, which had already the Senate's approval,⁴³ was passed in the

⁴¹ Clayton's speech at Wilmington on June 15, 1844, printed in Colton's "Clay," Vol. II, pp. 252-59; 258, 259. The debates show that the motion to table was made on February 21, and almost immediately withdrawn at Bibb's request to allow of an amendment. (Congressional Debates, Vol. IX, Part I, 1832-33, pp. 701-703), but the motion to table was not renewed, when Bibb almost at once withdrew his amendment.

⁴² Congressional Debates, Vol. IX, Part I, 1832-33, p. 716.

⁴³ It passed the Senate by a vote of 31 to 1, all its opponents but Taylor having withdrawn. Lyon G. Tyler's "Letters and Times of the Tylers," Vol. I, p. 461, has a story that Calhoun and his friends regretted their action, and the very next day asked leave to record their votes in the negative, but were refused. It seems a very unlikely action on their part, and the only authority given for the story is a loose statement of the Alexandria "Herald" quoted in Niles's "Register," Vol. XLIII, p. 430. The Journal of the Senate shows nothing of the kind.

House by the large majority of 149 to 48. Both bills went to the President and received his signature on the second of March. The first was designed to give South Carolina a fair basis on which to withdraw from her position, while the second was doubtless under the circumstances to some extent bluster but did save the face of the government by enacting measures hardly dreamed of theretofore by the most ultra nationalist, and it might perhaps have been used by the President, had the event of the struggle been different from what it was.

The Nullification Convention was called to reassemble on March 11, 1833, and of course Calhoun felt an obligation to be in Columbia and explain the Compromise. No doubt, too, as he had supported the measure, he was most anxious to see it approved, as well as to get rid of a struggle which had grown too sharp to be long endured and must have often caused him the gravest anxiety. A terrible journey lay ahead of him, then a man past fifty, whose chest, it is said,⁴⁴ had already begun to show signs of weakness.

He has himself given some account of the time in his "Autobiography."⁴⁵ He started South at once upon the adjournment of Congress on March 3. Of the journey he writes:

The spring was unusually cold and backward. The snow lay several inches deep on the ground, and the Potomac was frozen. He took the stage at Alexandria, but the roads were so broken up in consequence of the frost that he had to take open mail carts, in which he rode night and day without stopping, for a considerable portion of the way, in order to reach Columbia in time. He found the members of the Convention assembled. Knowing how firm and resolved the state was to maintain its rights, he anticipated some dissatisfaction at the compromise, which had induced him to proceed with the speed he had used. He was not mistaken; but, on explaining fully what had been done and the reasons on which he and his colleague [Stephen D. Miller] had acted, the Convention readily acquiesced in the adjustment.

Calhoun arrived ⁴⁶ in Columbia during the night of the day

⁴⁴ Hunt's "Calhoun," p. 176.

⁴⁵ Pp. 48, 49.

⁴⁶ Charleston "Mercury" of March 15, 1833.

on which the Convention had come together. A motion had been passed inviting such members of Congress and of the State Legislature as might be present to sit within the bar, and Calhoun's haggard face and worn appearance are said to have told plainly enough of his hard journey and heavy responsibility.⁴⁷

The arrival of B. W. Leigh, as Commissioner from Virginia with resolutions respectfully soliciting a suspension or rescission of the Ordinance until the end of the next session of Congress, was the point of prime importance in the early proceedings, and furnished an easy enough way of accepting the Compromise Bill as a settlement without appearance of surrender. Perhaps, too, as has been suggested,⁴⁸ there was some "understanding that Virginia would join her [South Carolina] in all lawful measures of opposition to the protective policy."

A committee, which was appointed to consider the Virginia proposition, reported on the 13th that "The effect of this interposition [by nullification], if it has not equalled our wishes, has been beyond what existing circumstances would have authorized us to expect." The Act of 1833, they went on, makes a beneficial alteration of the Act of 1832, even before the latter goes into effect, with provisions for gradual reduction to the revenue standard, establishes *ad valorem* duties and contains "the entire abandonment of specific duties and the minimums."⁴⁹ They recommended the repeal of the Ordinance of Nullification.

With this, the contest was nearly settled, but the proceedings were by no means all harmonious. Calhoun's course was much criticised and the appointment of a committee to call on the Senators and Representatives present in Columbia for a true account of the Compromise Bill was carried by only 3 votes.⁵⁰ R. Barnwell Smith (later Rhett) was bitter against

⁴⁷ Hunt's "Calhoun," p. 190.

⁴⁸ Colton's "Life of Clay," Vol. II, p. 240.

⁴⁹ Cooper's "Statutes at Large," Vol. I, pp. 387-389. Charleston "Courier," March 16, 1833.

⁵⁰ Hunt's "Calhoun," p. 190.

the statement in the report of the committee on the Virginia proposition as to devotion to the Union, and there was no little angry debate. On the 16th, we are told,⁵¹ the speaking was very fine, and "there was nothing like disorder, but a seeming breathless attention." James Hamilton, Jr., ordinarily as full of fire as any one, poured oil on the troubled waters.

At length, on the 14th, by the overwhelming vote of 155 to 4, Nullification was repealed after a recital in the following words: "Whereas the Congress of the United States by an act recently passed has provided for such a reduction and modification of the duties upon foreign imports, as will ultimately reduce them to the Revenue Standard, and provides that no more revenue shall be raised than may be necessary to defray the economical expenses of the Government."⁵² The Convention also passed a rather *brutum fulmen* in a new Ordinance to nullify⁵³ in turn the Force Bill, and enacted provisions as to the test oath, which latter were the cause of much heat and dispute within its halls.⁵⁴

Calhoun maintained, as was to be expected from a public man who had supported both Nullification and the settlement, that the remedy had been a success. In a public letter⁵⁵ of March 27, 1833, he wrote of the immense difficulties they had had to encounter, and then went on:

In spite of all these difficulties we have upheld and successfully asserted our doctrine, and proved by actual experience, that the rejected and reviled right of nullification, is not, as its op-

⁵¹ Charleston "Courier," March 19, 1833.

⁵² Cooper's "Statutes at Large," Vol. I, p. 390, "Courier," March 18.

⁵³ O'Neill writes ("Bench and Bar," etc., Vol. I, p. 273) that this measure "was adopted on the motion" of Judge Harper.

⁵⁴ "Courier," March 21. Where no authority is given, the Journal of the Convention has of course, been relied on.

⁵⁵ Niles's "Register," Vol. XLIV, pp. 125, 126, quoting the Edgefield "Carolinian." To the same effect was his speech in Charleston on November 22, Charleston "Mercury," November 25. On the other hand R. Barnwell Smith (Rhett) who had opposed the settlement, thought they had little "cause for a congratulation and a triumph" (Houston's Nullification, 136): and Beverley Tucker wrote in later years (letter of December 4, 1849, to J. H. Hammond in Library of Congress) that after nullification, Calhoun "fell back upon a cheating compromise which he knew was not to be observed in good faith, and then went home and pretended to regard the compromise as the triumph of nullification."

ponents asserted, revolution or disunion, but is that high, peaceable and effective remedy; that great conservative principle of the system, which we claim it to be, and as it has proved, and that, too, after all the usual remedies had failed, and when without it none other remained but secession, the last resort of an oppressed state. . . .

And then he added that they had best not deceive themselves but should remember, at the same time, that the Force Bill had been passed and was still a law.

The Union party was to have met again in Columbia on March 18, but, when it became apparent that Nullification would be put off and that a settlement was on foot, their leaders published a notice on March 12, postponing the Convention.⁵⁶ And at the next session of the Legislature, so Calhoun tells us,⁵⁷ both parties met like friends, disbanded their separate organizations, and agreed to forget their past differences. He adds that both sides faithfully adhered to this agreement, and that there had consequently been "a degree of harmony and unanimity in the state ever since without example in any other member of the Confederacy."

Others have thought that the unanimity and the almost undisputed leadership that belonged henceforth to Calhoun, were rather due to the crushing out of capable leaders during the Nullification struggle, and there is undoubtedly a large element of truth in this. Not a few prominent men even left South Carolina forever on account of the wounds and the result of the struggle, but at the same time the methods that led to Calhoun's triumph were absolutely pure and in one sense, at least, of a high order of statesmanship. They appealed to the intellect and were far removed from those of the boss and patronage-monger then becoming prominent. No wonder that South Carolina, and soon the South in general, saw in him thenceforth the great advocate and guardian of their interests, the leader of almost inspired capacity, who was forever caring for them. It was but natural that he should be accorded nearly absolute sway in his State.

⁵⁶ Niles's "Register," Vol. XLIV, p. 58.

⁵⁷ "Autobiography," p. 49. This was not during the same year, but at the fall session of 1834.

A few subjects still remain to be considered in regard to Nullification. In the first place, it is perfectly clear that the leaders in the movement had not the smallest thought or desire of breaking the Union. Calhoun⁵⁸ and many others sincerely loved it and were convinced that they were putting in motion a peaceful remedy which of right belonged to them. Nor had they any intention of precipitating an armed conflict. Calhoun said in the Senate on January 16, 1833, that, previous to the concentration of Federal troops on her border, "South Carolina had looked to nothing beyond a civil process, and had intended merely to give effect to her opposition in the form of a suit at law."⁵⁹ Hayne, too, wrote to much the same effect in 1833,⁶⁰ and McDuffie said in his Charleston speech of May 19, 1831,⁶¹ that "the idea of bloodshed and civil war, in a contest of this kind is utterly ridiculous." Almost identical with these words of McDuffie, was the language, too, of the Address of the Nullification Convention to the people of South Carolina.⁶²

What then was the plan, by which the leaders aimed to reach their ends? Probably it may be assumed that (as is ever the case) hosts were satisfied to go along under the mere word *Nullification* as their banner and panacea, without bothering to think much as to how the matter was to be worked out in detail. Perhaps, too, still others had more or less definite ideas as to the method in which to proceed, and yet their plans differed widely from that actually adopted. Thus, it has been seen that McDuffie said in 1830 that the most they thought of

⁵⁸ At the very time of the movement, Calhoun said in the Senate: "For himself, he had been, from his earliest life, deeply attached to the Union; and he felt, with a proportionate intensity, the importance of this question [Nullification]. In his early youth, he had cherished a deep and enthusiastic admiration of this Union. He had looked on its progress with rapture, and encouraged the most sanguine expectations of its endurance." Congressional Debates, IX, Part I, 1832-33, p. 103. See, also, his posthumous "Discourse on the Constitution," etc., "Works," Vol. I, pp. 193, *et seq.* Other like quotations from Calhoun are to be found in various parts of this "Life."

⁵⁹ Congressional Debates, Vol. IX, Part I, 1832-33, p. 101.

⁶⁰ Letter of February 6, 1833, as Governor to B. W. Leigh, printed in Cooper's "Statutes at Large," Vol I, pp. 385, 386.

⁶¹ Quoted *ante*, Vol. I, p. 432.

⁶² Quoted *ante*, Vol. I, p. 448.

was to declare the tariff null and void by a convention and then leave it to their juries to refuse to give verdicts in suits on the revenue bonds.⁶³

Far different was the plan which was adopted, evidently in the main under the guidance of Calhoun, and whatever else may be said of it, no one will dispute that it was worked out to a high degree of scientific perfection. Its method has been shown in the preceding pages, and it will be enough here to remind the reader that the ultimate purpose was to have a Convention of the States called which should lead to a settlement of the question whether or not a protective tariff was constitutional. Calhoun wrote distinctly to this effect⁶⁴ shortly before the Nullification Convention was called, and the South Carolina Legislature subsequently, in accordance with the directions of the Nullification Convention, passed a resolution in favor of the meeting of such a body.⁶⁵

It is apparent, of course, that a general convention would have been eminently satisfactory to the Nullifiers, for it would have put the onus on those who maintained the existence of the disputed power, and the latter would be conclusively settled not to belong to the government, unless three-fourths of the States should vote in its favor. Here was indeed an easy road by which a very small minority could impose its wishes on any but a crushing majority, and here of course was one of the features of Nullification which led a hard-headed, practical people to feel that the doctrine was an absurdity.

It has been said that South Carolina did not aim at an armed collision, but the fact remains that for some years preceding Nullification, she had been persistently arming and was latterly very active in making military preparations. Of course, these measures were said to be merely precautionary. Such is always the case. Jackson beyond doubt said the same thing as to his preparations in sending troops to Charleston and Augusta. Here we find an instance of that vicious circle, which ever comes about when two people are drifting into war,

⁶³ See his language as reported by Ritchie, *ante*, Vol. I, pp. 416, 417.

⁶⁴ Letter of October 8, 1832, quoted *ante*, Vol. I, p. 447.

⁶⁵ See *ante*, Vol. I, p. 450.

and each accuses the other of making the first steps which lead to a clash. The truth is that perhaps both are to blame, and beyond doubt both are usually engaged in a course which necessarily tends to war. South Carolina's policy in 1832 was of this nature, and she was certainly playing with a species of fire that might have led either to disunion or war, though it is quite true that she did not design a conflict and was, of course, far from wanting it.

The State seems at other times to have paid no little attention to her militia, and from 1807 to 1809, when trouble with England was threatening this was markedly the case, but a very great activity in military affairs is specially observable between 1829 and 1833. Numbers of laws passed the Legislature, the State was full of military companies drilling, and many of the leading men found here their chief occupation. There was evidently extensive preparation in the matter⁶⁶ and the different districts doubtless vied with each other. Mounted minute men, among other species of troops, were organized in evident imitation of Revolutionary times.

The result was probably a body of men who might have been made most efficient, but in respect of arms they were utterly lacking, if we are to measure them by the standard of military excellence, which has grown up in more recent days under the rank stimulus of universal military service and vast standing armies. Thus, Hammond wrote the Governor from Barnwell Court House on January 8, 1833, that there was not a piece of mounted ordnance in the District and then added: "There is said to be an old cannon near the Levels, which was probably left there in the Revolution. I shall have it examined and tried and if worth mounting I will have it brought here." Again, on February 7th, he wrote of the lack of arms, saying that "if called into actual service all of them at once, the volunteers of Barnwell would require an addition to their present arms, at least 500 stand to act effectually."

Governor Hayne, too, was full of his troubles and was writ-

⁶⁶ James H. Hammond, in recording his experiences of the time, wrote in his Diary under date of February 7, 1841: "I raised a Voluntary Regiment of nearly 1000 men and was elected to command it." This was in Barnwell. Hammond Papers, in Library of Congress.

ing another importunate military lieutenant: "I am truly sorry to say that the demand for *Arms* exceeds five times over the number in the possession of the State. To answer these calls is therefore impossible. Our supplies come in slowly—we have no manufactories, and indeed the finances of the State would be exhausted in procuring half the number of arms that have been called for." Reports in the Legislature, too, show that the cannon on hand were but few and generally of sizes unavailable for the uses needed, while the balance still remaining from 500 arms bought of the United States in 1826 had rusted in the damp room where they had been kept and must be repaired. The existing arsenals at Beaufort and Abbeville were found to be quite unfit for the preservation of the arms they contained and were directed to be put in order.⁶⁷

A lamentable showing, indeed, for a people drifting into war, and perhaps "*tu quoque*" is the only answer. That the United States army of that day was also a most inefficient machine can hardly be doubted. It seems that seven companies composed the force which had been sent to Charleston,⁶⁸ and this was a small body to cope with that which had been raised in South Carolina. Nor can the experience of the then recent war of 1812, or of our later wars, permit us to suppose that this small corps would have shown any overwhelming superiority to a possible enemy fighting on its own soil with every assistance from neighbors.

What was the result of the struggle? Who won and who lost? The questions are easier to ask than they are to answer with any conclusiveness, for the result was a very divided one in any view. To me it seems that South Carolina had no little measure of success. To bring about,—and her course was certainly the main efficient cause in doing so,—such an extensive reduction in the tariff rates, the abandonment of the long-prevalent system of minimums, and the succession of reductions which was to go on for ten years, was victory and

⁶⁷ "Nullification in South Carolina 1830-34," in "American Historical Review," Vol. VI (1900-1), p. 758, and Vol. VII (1901-2), pp. 93-97. "Laws of South Carolina," 1829, p. 34, and 1830, p. 54.

⁶⁸ Niles's "Register," Vol. XLIV, pp. 114 and 150.

triumph enough. And to this must be added that the result was accomplished at a time when there had been for years a very fever of protective tariff sentiment, and when all their efforts in Congress to reduce the Act of 1828 had but ended in the passage of that of 1832.

This latter statute had, moreover, been extensively heralded by administration men, as well as leading advocates of protection, as the final word on the subject, our permanent system of revenue. Yet its ink was hardly more than dry and its provisions had not even gone into effect, when under the pressure of the crisis brought about by Nullification, it was swept from the books and substituted by the radically different and immeasurably more moderate Act of 1833. These were great elements of success.

But there was another side to the picture. If the crisis had become serious to the Federal authorities, its pressure on the Nullifiers had certainly grown too heavy to be endured and there can be no doubt that Calhoun and his associates in South Carolina eagerly grasped at an opportunity to settle the question and relieve their State from the perils and possible discomfiture, to which it had been brought so close under their leadership. They could not to any considerable degree stand out longer for terms but were obliged to accept very closely what the political necessities of the times and of some leaders allowed to be offered them. Jackson had thundered at them and threatened such dire consequences, and their course had come to be so universally unpopular, that they could not dare to face the possibility of an armed clash of authority.

Besides this, too, as has been already said, Calhoun knew from the beginning that the Compromise was hardly likely to be carried out by future Congresses, and the later terms, the largest concessions to South Carolina, were not, as a matter of fact, adhered to. The twenty per cent rate, let alone the fifteen at which Calhoun had aimed, was never reached.⁶⁹

⁶⁹ Nominally, the rates were 20 per cent. between June 30 and August 30, 1842, but in reality Treasury orders as to the "home valuation" are said to have raised them to 25 per cent. Stanwood's "Tariff Controversies," Vol. II, p. 24. Cf. Taussig, p. 112.

Thus, probably neither side had great cause to boast; but the settlement was certainly wise and patriotic on the part of both contestants. For South Carolina, the wisdom is perhaps plain enough, and the Union could hardly then have faced an armed conflict with one of its sovereign creators. Nationalism was still a tender plant of very little pith, and it is impossible to know how the other Southern States would have acted, when they saw and were called upon to support a war against their hot-headed sister, with whose views as to the fundamental cause of the conflict, the Tariff, they agreed by an overwhelming preponderance of opinion.

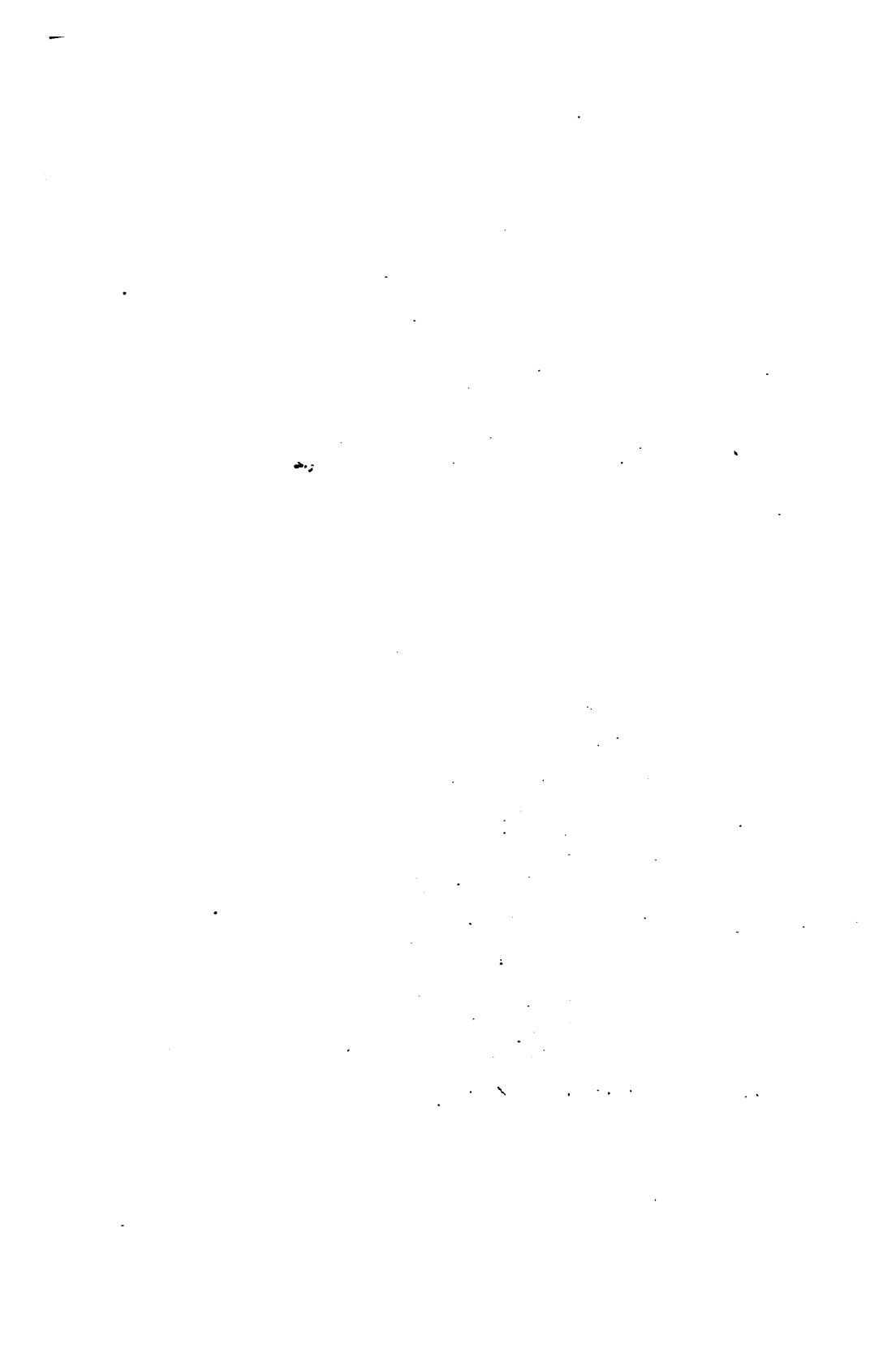
To Calhoun the contest was of vital importance; but I think it marked rather than brought about his entrance upon his future history. There was no course open to him but to support his State or abandon public life, and if the remedy he adopted from the armory of our short history was an unfortunate choice, it remains for some one wiser than he to point out what other he could have taken up. Ten years of agitation and petition had left no implement available but some sort of half-violence.

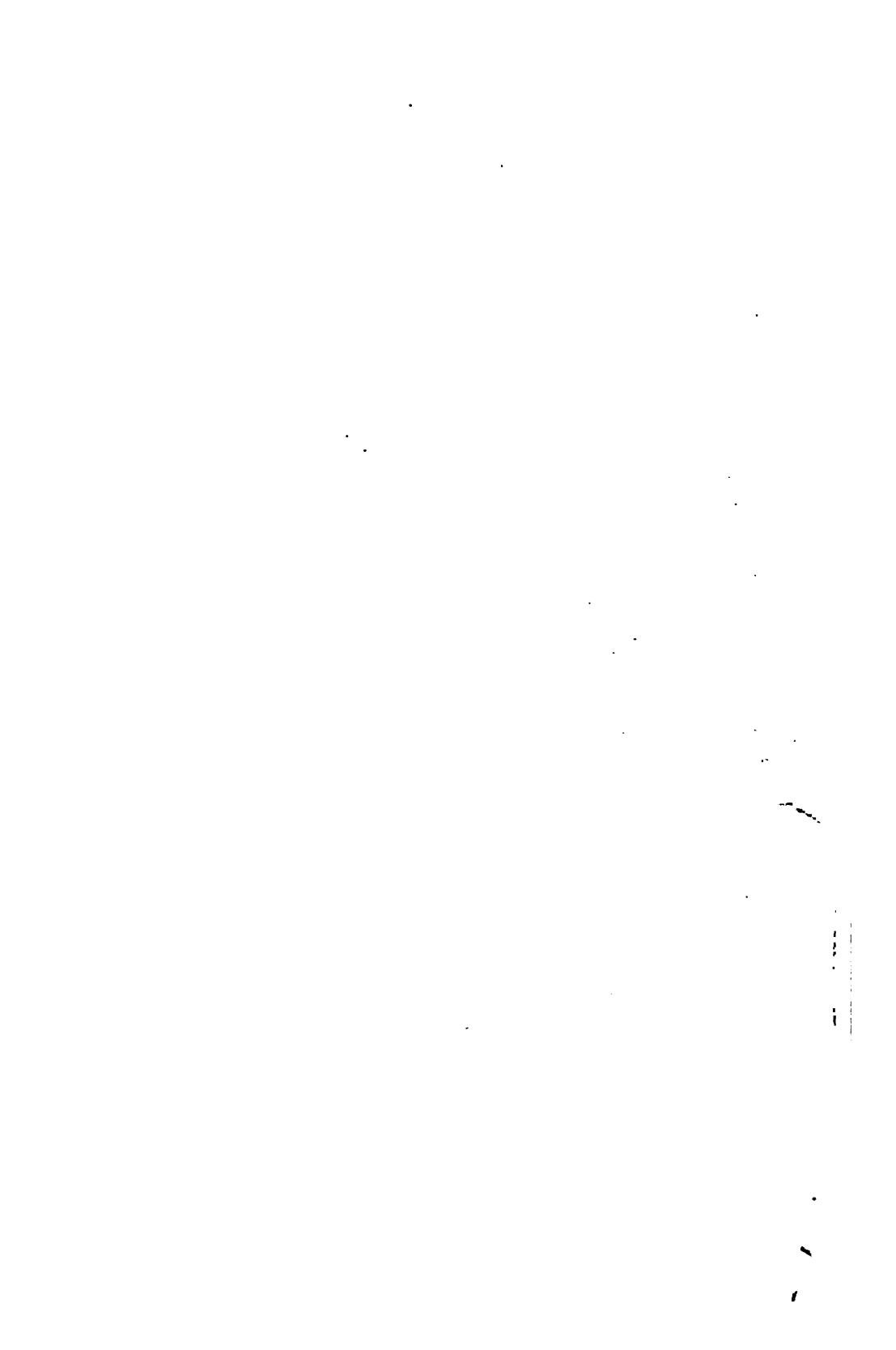
There can be no doubt, however, that, outside of his own immediate section, the almost universal detestation of Nullification put a sort of stain on him henceforth as a public man. At the time the doctrine was intensely unpopular, as he has been seen to have known, and leaders all over the country ran away from its possible infection, eating in effect their past words. Even as strong a Democrat as Macon, without any such spur of self-interest, wrote in 1833, after he had retired from public life, that he fully accepted the right of secession but "never believed a State could nullify and stay in the Union."⁷⁰ Nor was the doctrine ever asserted again by any State or authoritative body, and in 1860 one at least of the great leaders may almost be said to have distinctly repudiated it.⁷¹

Probably Calhoun's loss of the Presidency had, in any event, to come about in one way or another from the slow grow of

⁷⁰ Dodd's "Macon," p. 385.

⁷¹ Jefferson Davis, in his farewell speech in the Senate, on January 21, 1861, "Congressional Globe," Second Session, Thirty-sixth Congress, Part I, p. 487.

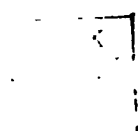






PORTRAIT OF JOHN C. CALHOUN IN THE WAR DEPARTMENT,
WASHINGTON

Vol. II, p. 38



circumstances and the isolation of his section. Mighty, indeed, were the causes tending to this result, far mightier than any man or set of men, and Jackson's quarrel with him and the intrigues of those who brought it about, were but the apparent means by which was broken the great ambition of his earlier years. The Presidency had indeed seemed within easy grasp, almost ready to drop into his lap, but from the time of this for him ill-omened quarrel these hopes turned to ashes on his lips and the unpopularity of Nullification forever buried them.

Never again, as it seems to me, was there in reality much likelihood of the nomination coming to him from one of the great parties, though there were several times when active friends pressed him eagerly and with his co-operation. For a time, too, immediately after his bitter disappointment, the flames of hope burned within him, as the reader has seen. But this hope was feverish and flickering, and it is more than likely that he soon came to realize in the main that the darling ambition of his earlier days had gone from him as completely as had youth. The following pages will show, however, that his hopes probably never fully died out, until close to the time of his death, but kept now and then bursting out again. And this despite the fact that he is said to have told a friend toward the end of his life: "The presidency has not been in my thoughts for ten years."⁷²

It has been said that in the present writer's opinion the story so often repeated that Calhoun's change to State Rights views was the result of disappointed ambition is absolutely without foundation, and I cannot but think that all must agree to this upon reading his "Life," as the facts have been set forth. But the disappointment when it came about after his change, was beyond question a bitter one, and it seems to some extent to have soured his life.⁷³ In all our history, there has probably

⁷² "Memoir of John C. Calhoun," reprinted from the "American Whig Review" of August, 1850: Pamphlet in Historical Society of Pennsylvania.

⁷³ Later pages will sufficiently show this, but it may be said here that his utterances, beginning with 1833, were filled with remarks of how the country was going to ruin with corruption and degeneracy, and even a military despot was imminent. "Correspondence," pp. 307, 309, 310, 317, 318, 323;

been no one whose prospects of winning the office seemed for several years so bright, and it was too much for an ambitious public man to endure in silence having the prize thus snatched from his very arms. From this time on, he doubtless felt that the course he had had to assume had driven from him many friends and brought upon him mountains of odium; and a proud character, conscious of the rectitude of his intentions, naturally enough then drifted rapidly into the condition of being at bay.

Different opinions were held at the time, are held today and perhaps ever will be held, in regard to the economic causation for that depression in the South which brought on Nullification. Some saw in it nothing but the malign influence of the protective tariff, and this was probably the general opinion in the suffering region. Others, now as well as then, put this cause aside and attribute the distress almost exclusively to the vast increase in the production of cotton resulting from the rush of settlement to Alabama and Mississippi. But no single economic cause ever yet did alone produce a result; and of course this instance was no exception.

At the beginning of the last decade of the eighteenth century, the production of cotton in the United States was but about two million pounds. Twenty years later (1811) it had apparently leaped to eighty millions, and by 1821 amounted to one hundred and eighty millions. These figures were again almost doubled in five years more,⁷⁴ and the production of 1834 slightly exceeded four hundred and thirty-seven million pounds. Down to the time of the financial distress of 1819, too, (excepting during the years of the war with England), the price was rarely below twenty cents and never below fifteen. In 1799 and 1801 it touched forty-four cents and had for several

Niles's "Register," Vol. XLVI, pp. 405-6. *Ibid.*, Vol. XLVIII, p. 74. Some of his contemporaries were, however, not behind him in such denunciations of Jackson.

⁷⁴ 350,000 in 1826. My figures, both as to production and prices are taken from M. B. Hammond's "The Cotton Industry" ("Publications of the American Economic Association," New Series No. 1, 1897), "Tables" in "Appendix." The prices are average figures in New York for middling uplands. The statistics for production are said by the author not to be accurate until 1821.

preceding years (with one exception) ranged between that figure and about twenty-nine. Selling in 1818 and 1819 at twenty-four cents, it fell off in 1820, to seventeen, and then tended generally downward; and from 1827 to 1832 it was always slightly below ten cents.⁷⁵

The causes for the vast increase in production are plain enough. Receiving its first stimulus from the cutting off of supplies of clothing during our Revolution, the growth of cotton was enormously increased by the demand incident to the spread of the factory system in England and to the long series of mechanical inventions culminating in 1792 in Whitney's cotton-gin. This latter very quickly brought about a great demand for the product of our Southern States, which had before been even rejected in England as useless owing to the almost impossibility of separating the fibre from the seed. The planters in the South, fired with hope from the high prices soon prevailing and the stories of the crops raised in the region lying to the west of them, were soon pouring in numbers into what we know to-day as Alabama and Mississippi.⁷⁶

They found there a virgin soil, of immense and even rank fertility,—so rich indeed that they could sell their crop at a price materially below what was possible to the longer settled regions of the old Southern States. This new output, added to the old, met in time the hunger of the mills and, as is nearly always the case, in no long course of years exceeded it. A crash then came, the prices of cotton, of negroes and of land fell enormously, and the planters, particularly in the older States, were soon facing ruin. Here, in this overproduction, was beyond question an important element in the causation of the Southern distress of 1820 and later years.

⁷⁵ McDuffie summed up the matter fairly enough (speech at Charleston Dinner on May 19, 1831, printed in "The National Intelligencer" of June 7, probably from the Charleston "Mercury" of May 25) by saying that until about 1824 the price of uplands had never for any length of time been below fifteen cents. Hammond bears out this statement, except for 1813 and the years of the war of 1812. The average price in 1831 (the year of the speech) was 9.71 cents, so, of course, the figures appealed to McDuffie's auditors.

⁷⁶ Hammond's "Cotton Industry," pp. 9, 12-16, 278 *et seq.* Wm. A. Schafer's "Sectionalism and Representation in South Carolina," ("Annual

But by no means was it the only cause. This was also the period of the high protective tariffs, and in some particulars the effect of these seems to follow with astonishing clearness, though in others it is not to be so distinctly traced, unless by taking long intervals. Thus, the imports at Charleston in 1821 were slightly over three millions, but by 1828 had fallen to one million and a quarter, and by 1830 to but little over one million. In this same period (1821 to 1830) the imports into the whole country had increased from about sixty-three to seventy-one million. If it be borne in mind what was the very purpose of the tariff acts and that the South imported finished goods alone, it can hardly be doubted that those laws had largely accomplished their first purpose and had dislocated and destroyed a system of life to which the South had long been accustomed. But cause and effect can by no means be here traced accurately step by step, but only roughly, as the various tariff laws came into being and their effects began slowly to show.⁷⁷

Report of American Historical Association," 1900, Vol. I), pp. 237 *et seq.*: see especially pp. 385-87.

⁷⁷ George Watterson and Nicholas Biddle Van Zandt's "Tabular Statistical Views of the United States," (two volumes), Washington 1829 and 1833, published to some extent with authority. The earlier volume (pp. 104-107) gives the following figures of the merchandise imported into South Carolina and the whole United States for 1821 to 1827, and the later volume (pp. 152-155) gives the same for 1828 to 1832:

VALUE OF MERCHANDISE IMPORTED INTO		
<i>Years</i>	<i>South Carolina</i>	<i>Whole United States</i>
1821	3,007,113	62,585,724
1822	2,283,586	83,241,541
1823	2,419,101	77,579,267
1824	2,166,185	80,549,007
1825	1,892,297	96,340,075
1826	1,534,483	84,974,477
1827	1,434,106	79,484,068
1828	1,242,048	88,509,824
1829	1,139,618	74,492,527
1830	1,054,619	70,876,920
1831	1,238,163	101,029,266
1832	1,213,725	103,191,124

J. D. B. DeBow's "Industrial Resources of the Southern and Western States," 1853, Vol. III, p. 96, contains a report of Robert Y. Hayne to the Southern Commercial Convention, 1839, in which it is said that no data exists to show the imports into the various states prior to 1821 and the figures for several subsequent years are given, not differing very widely from the above (see also *ibid.*, p. 98). Niles's "Register," Vol. XXXVIII,

Other statistics are more striking. Thus, the South Carolinians maintained, not only that a large trade to their ports was broken up by the higher tariff acts and especially by the act of 1828, but that they had themselves built and owned a considerable portion of the shipping engaged in this trade, and that their vessels simply rotted at the docks, after the passage of the act in question. "We had thirty or forty ships," said Hayne in 1832, "many of them built, and all owned, in Charleston. . . . Look at the state of things now. Our merchants bankrupt or driven away, . . . our ship-yards broken up, our ships all sold."⁷⁸ If the orator's coloring is to be found in these words, the burden of them, at least, is borne out by cold records, which show that for several years prior to 1829 there was registered tonnage at Charleston and Georgetown amounting to nearly 30,000 tons, and latterly to 33,100; but that this fell off suddenly in 1829 to 13,500 and only very slightly increased in the two following years. The tonnage in the whole country also fell off to a considerable degree in 1829, it is true, but to nothing like the same extent.⁷⁹

p. 255, reprints from the Savannah "Georgian" parts of a table published in Howard's price current, giving the importations into Charleston from 1822 to 1829. From this it appears that between those years the aggregate value of importations of linen and cotton goods, oznaburghs and burlaps, cotton bagging, plains, blankets, cloths and cassimeres, flannels, baizes, worsted goods and carpeting, hardware and earthenware, fell from close to one million, two hundred thousand, to four hundred and nineteen thousand. Cotton goods fell from 159,000 to 14,500; cloths and cassimeres from 148,700 to 6,500.

⁷⁸ Speech on the reduction of the tariff in 1832, Jervey's "Hayne," pp. 307, 308.

⁷⁹ Watterson and Van Zandt's "Statistical Tables," *ut supra*. The earlier volume, pp. 111-113 gives the following figures for 1818 to 1826, and the later one, pp. 168-172, those for 1827 to 1831; later years are not included.

Years	Charleston and Georgetown	Whole Country
1818	29,233.25	1,225,184.10
1819	31,160.74	1,260,751.61
1820	29,994.63	1,280,165.19
1821	33,351.31	1,298,958.70
1822	29,554.57	1,324,699.17
1823	28,601.42	1,336,565.68
1824	29,007.82	1,389,163.92
1825	27,256.44	1,423,111.72
1826	29,978.49	1,534,190.83
1827	33,572.65	1,620,607.78
1828	33,688.73	1,741,391.87

These statistics seem to show, more clearly than can usually be traced in economical questions, a marked influence of the tariff in bringing about the Southern distress, and this influence was and is often admitted. Even John Quincy Adams,—deep-dyed by local jealousy and the man to whose signature as President the Act of 1828 owed its validity,—came in a very few years to think the tariff oppressive to the South.⁸⁰ At the same time, it was too plain to be denied that other causes contributed to the result, and some of the Southerners openly admitted this.⁸¹ One of these contributing causes has just been mentioned, and another was doubtless the prevalence of slavery. Even then a doomed system, though the world did not yet know the fact, there can be no question but that from an economical point of view, its existence was a serious handicap.

"The natural death of slavery," said John Randolph in 1826, "is the unprofitableness of its most expensive labor."⁸²

But the fact that the South was already burdened was by no means a reason for increasing her load. The time when a people,—and particularly a large and homogeneous population spread over six or seven contiguous States of our Union, were suffering from other causes,—was surely not the time to add

<i>Years</i>	<i>Charleston and Georgetown</i>	<i>Whole Country</i>
1829	13,532.06	1,260,797.81
1830	15,185.88	1,191,776.43
1831	14,842.61	1,267,846.29

The "registered" and the "enrolled and licensed" tonnage are given separately; but I have reproduced only the totals. The tonnage is expressed in "tons and ninety-fifths." A portion of these figures for the whole country was reproduced by Calhoun as an appendix to his speech of March 16, 1842, "Works," Vol. IV, p. 136.

⁸⁰ McMaster's "United States," Vol. VI, p. 136, quoting a letter from W. B. Mitchell to Poinsett, January 10, 1832, from the Poinsett MSS. in the Historical Society of Pennsylvania. Taussig ("Tariff History," p. 86) sums the matter up by saying that the Southern members "were convinced and in the main justly convinced, that the taxes levied by the tariff fell with peculiar weight on the slave States."

⁸¹ Hayne, in speech of 1832 on the Reduction of the Tariff, as quoted in Jervay's "Hayne," pp. 308, 309. Hamilton in his pamphlet-printed Walterborough speech of October 21, 1828, asserted, what can only be a guess, that any South Carolinian who spent \$4000 a year was paying "at the smallest calculation, \$1000 in the shape of a clear tax to the Government and the monopolists."

⁸² See *ante*, Vol. I, p. 356.

to their trouble by the passage of further laws which must aggravate the distress and to which they were and had long been earnestly and well-nigh unanimously opposed. Perhaps the whole truth of the matter was best stated in the "Memorial" of 1831-32 by the Unionist members of the South Carolina Legislature, which argued that "if other causes conspire to reduce the income of her [South Carolina's] citizens, it is the tariff alone which denies them the right of converting that reduced income into such an amount of the necessities or conveniences of life as would certainly be at their command under the revenue system of moderate duties."⁸³

⁸³ See *ante*, Vol. I, pp. 439, 440.

CHAPTER II

CALHOUN'S POLITICAL INDEPENDENCE

His Isolation — Financial Questions of the Day — Removal of Deposits — Independent Treasury Outlined — Presidential Power of Removal — Report on Executive Patronage — Regulation of Bank Deposits — Surplus Deposited with States.

For several years after entering the Senate, Calhoun was politically very much alone. Separated by recent events from his own party, he adhered exclusively to the small band of Nullifiers. Efforts were made, as we shall see, to induce him to join the Whigs, but he doubtless realized well enough that there was no permanent place for him in the party whose great leader was the author of the American System. He therefore maintained his entire independence, "never, on any occasion, joined in their [the Whigs'] meetings or party consultations, and always kept himself free on every question to follow the dictates of his own judgment,"¹ nor was he even appointed a member of any of the standing committees.²

In one sense this freedom from party ties made his position one of great power, for the leading men of third parties must often be sought out in order to enable an administration to carry its measures, but he did not like his new circumstances, and the odium which was heaped upon him was naturally far from agreeable to one who had during all his public life known so large a measure of the seductions of popularity. He grew sensitive, it seems, under this trial. He and Webster came soon to be hardly on speaking terms,³ despite the fact that their

¹ "Autobiography," pp. 61, 62. See also "Correspondence," p. 549.

² Not until the second session of the Twenty-sixth Congress (1840-41), when he had to some extent re-united with the Democrats and was the third member of the Committee on Foreign Affairs. Subsequent Senates were Whig, and he was not on any committee.

³ "Autobiography," p. 54: Speeches of March 10 and 22, 1838, "Works," Vol. III, pp. 256, 280.

personal relations had never before been strained in all their political differences, and in a controversy with Rives in 1834 he complained that "a great injustice" had been done him by that gentleman in questioning his consistency, while Rives spoke in reply of his "excessive sensibility."⁴

As he said in this same year, 1834:

My political convictions are with that small and denounced party which has voluntarily wholly retired from the party strifes of the day . . . and let me tell the Senator from Kentucky that, if the present struggle against Executive usurpation be successful, it will be owing to the success with which we, the nullifiers — I am not afraid of the word — maintained the rights of the States against the encroachments of the General Government at the last session.⁵

And a year later he said:

It was a long time since he had taken any active part in the political affairs of the country. . . . He wished the Senator [King of Alabama] to understand him that he had put himself in a minority of at least 1 to 100, that he had incurred a degree of odium, voluntarily, knowingly, believing it to be his duty to do so, as there was no other means of arresting this course of Executive encroachments. He had made these sacrifices for his State, and his constituents had benefitted by his course, and yet the gentleman charged him with being actuated by party feeling.

He was in that Senate with reluctance. He came there from the State which gave him birth, though he certainly did not desire it, and had been elected to his seat almost unanimously.

He had abandoned party voluntarily, freely; and he would tell every Senator — for he was constrained to speak of himself, and therefore he spoke boldly — he would not turn upon his heel for the administration of the affairs of this Government.

On another occasion in 1835, when some glaring frauds had recently come to light, Calhoun said that in his 22 years of connection with the Government he had never known nor could he have "conceived that such rottenness, such corruption, such

⁴ "Congressional Debates," Vol. X, Part 1, 1833-34, pp. 297-301.

⁵ "Congressional Debates," Vol. X, Part 1, 1833-34, pp. 206, 221.

⁶ *Ibid.*, Vol. XI, Part 1, 1834-35, pp. 267, 268.

abominable violations of trust could ever exist in any of its departments. . . . It exceeded anything in the history of the rottenest ages of the Roman Empire."⁷ And again "the time had arrived when reformation or revolution must go on. . . . He believed the affairs of this country to be in a desperate condition."⁸

Nor were these by any means isolated expressions from him, but numbers of similar ones could be found. At the same time the reader must be reminded that, in regard to the corruption and approaching revolution which he saw, Calhoun did not go one whit further as a prophet of ill than did Clay and other leaders in the bitter struggle with Jackson. It was a part of their stock in trade, and doubtless to a large extent believed by them at the time.

In the early moves of the struggle with the Bank, which figured so largely in Jackson's day, Calhoun had little or no share. He was Vice-President at the time when the new Executive's first Message questioned the expediency of the institution, and the only indication of his opinions that I know is contained in a letter of March 20th, 1830, in which he wrote that the report that he had come out against the bank was without foundation and added that he regarded "the agitation of the question any way premature. It will be time enough to discuss it four years hence." Nor do I know of any expression of opinion from him in regard to the bill to recharter the Bank, which Jackson vetoed in July, 1832.⁹

At the time when Calhoun became a member of the Senate, in January, 1833, Jackson had already been re-elected and had in his Message at the opening of the session in December questioned the safety of the deposits in the Bank. This had led to a committee of investigation in the House, which reported that the deposits were safe, and a resolution to that effect was passed by the House by 109 to 46 late in the session¹⁰ but was

⁷ "Congressional Debates," Vol. XI, Part I, 1834-35, p. 249.

⁸ *Ibid.*, p. 268.

⁹ Benton writes ("View," Vol. I, p. 434) that Calhoun was "well known to have been opposed to the renewed charter, when so vehemently attempted, in 1832, and also against banks generally."

¹⁰ "Congressional Debates," Vol. IX, Part II, 1832-33, p. 1936.

not reached in the Senate. Doubtless, the reason why so little part was at first taken by Calhoun upon the bank questions, which were then under discussion, was that he was fully occupied with Nullification and many negotiations intended to lead to the Compromise and its acceptance.

As is well known, the resolution of the House that the deposits were safe was by no means regarded by Jackson as final, and the famous order for their removal — or more accurately discontinuance — was issued on September 26, 1833, during the recess of Congress, by Roger B. Taney, who had just been appointed Secretary of the Treasury in place of Duane. The latter had been dismissed by Jackson because of his refusal to sign the order. Intense excitement followed, and the blow was a most serious one to the bank, which saw at once that the move would in no long time result in withdrawing from it a sum not much under ten millions of public deposits and leaving only individual ones of barely over eight millions.¹¹

Small wonder that the ensuing session of 1833-34, known as the Panic Session, was said by Benton to have been the most fiery and eventful one he ever witnessed. Clay, Webster and Calhoun had united for the time, and the few friends of the President then in the Senate had to contend for months against "the prodigious, scathing invective of American statesmen, the most talented and powerful who ever united in opposition." The removal and many other questions were discussed with intense bitterness. Petition after petition, many of them of monstrous dimensions, for the return of the deposits, was presented. Jackson's course in this and other matters was denounced in most unmeasured language, the Bank remonstrated against the removal as a breach of contract, and Clay's famous resolution that the President had, in the matter of the removal, assumed power not conferred by the constitution and laws but in derogation of both, was carried in the Senate, only to be met in turn by Jackson's indignant Protest of April 17, 1834. And this paper was then refused reception in the Senate. All this occurred, too, during a financial panic which the administration's friends charged to the evil manipulations of the Bank.

¹¹ Schouler's "United States," Vol. IV, p. 143.

At the time of these proceedings, the Nullification struggle was out of the way, but Calhoun had not yet at the opening of the session announced what course he would follow. He wrote as early in the session as December 12 that "our *position* is strong in both houses, particularly in the Senate. No measure can be taken but with our assent, where the administration and the opposition parties come into conflict. Neither party have a majority [in the Senate]." Naturally, there was much speculation as to which side he would support, but he did not long leave the public in doubt. On January 13, 1834, he spoke at length on the removal of the deposits, during the pendency of one of Clay's motions to censure the President, and took strong ground against the Executive action.

His opinion was that the limited power accorded the Secretary of the Treasury as to the deposits was, as are all political powers under our system, a trust and could only be exercised to carry out the object in view. The purpose had evidently been to render the deposits secure, and it was for this reason alone that Congress, after selecting the United States Bank, had added a power in the Secretary to remove them, in order to prevent possible abuse. It is not even pretended, he went on, that the deposits were in danger, and "there is not a man who hears me who will not admit that the public moneys are now less safe than they were in the Bank of the United States." He conceded, what many of Jackson's opponents denied, that the President had the power to dismiss Duane and appoint another Secretary, but maintained that the dismissal was wholly indefensible under the circumstances of the case. It was an *abuse*, however, and not a *usurpation*, of power, he said: and to enforce his meaning he put the case of a Secretary, who had favored the removal, while the President had opposed it. Plainly, it would have been the President's indispensable duty to remove the Secretary.

Later on, he said that the real struggle was between the Executive and the Legislative as to which should have the power to create a Bank. The present league of banks, "created by the Executive, . . . vivified and sustained by receiving the deposits of the public money, and having their notes con-

verted, by being received everywhere by the treasury, into the common currency of the country, is, to all intents and purposes, a Bank of the United States,—the Executive Bank of the United States, as distinguished from that established by Congress.”

Near the end of his speech, he expressed some opinions which show that he had devoted no little thought to the general subject and already had in mind in outline that complete separation from banks and creation of the Sub-Treasury, which became so prominent questions in a few years :

If this was a question of Bank or no Bank ; if it involved the existence of the banking system, it would, indeed, be a great question — one of the first magnitude ; and, with my present impression, long entertained and daily deepening, I would hesitate — long hesitate — before I would be found under the banner of the system. I have great doubts, if doubts they may be called, as to the soundness and tendency of the whole system, in all its modifications : I have great fears that it will be found hostile to liberty and the advance of civilization. . . .

So long as the question is one between a Bank of the United States incorporated by Congress, and that system of banks which has been created by the will of the Executive, it is an insult to the understanding to discourse on the pernicious tendency and unconstitutionality of the Bank of the United States. To bring up that question fairly and legitimately, you must go one step further ; you must *divorce* the Government and the banking system. You must refuse all connection with banks. You must neither receive nor pay away bank-notes ; you must go back to the old system of the strong box, and of gold and silver. If you have a right to receive bank-notes at all — to treat them as money by receiving them in your dues, or paying them away to creditors — you have a right to create a bank. Whatever the Government receives and treats as money, is money in effect ; and if it be money, then they have the right, under the constitution, to regulate it [and for this purpose to create a Bank of the United States. Otherwise, you violate the provision of the constitution that taxation shall be uniform throughout the United States]. There is no other alternative : I repeat, you must *divorce* the Government entirely from the banking system, or, if not, you are bound to incorporate a bank as the only safe and efficient means

of giving stability and uniformity to the currency. And should the deposits not be restored, and the present illegal and unconstitutional connection between the Executive and the league of banks continue, I shall feel it my duty, if no one else moves, to introduce a measure to prohibit Government from receiving or touching bank-notes in any shape whatever, as the only means left of giving safety and stability to the currency, and saving the country from corruption and ruin. . . .¹²

It was not very long before Calhoun again made himself heard in regard to the financial chaos then prevailing. Among the bills introduced upon the subject was one by Webster to re-charter the United States Bank for six years. Webster had announced on the floor the intention to introduce this bill and, though they were hardly on speaking terms since the differences of the prior session, Calhoun sent word through a friend that

¹² "Works," Vol. II, pp. 309-344, or "Congressional Debates," Vol. X, Part 1, 1833-34, pp. 206-223. It seems this must be the speech of which the Bank had 50,000 copies printed for circulation, though parts of it outlining the Independent Treasury can hardly have been very pleasing. Letter of John G. Watmough to Nicholas Biddle, dated February 7, 1834, in the Nicholas Biddle Papers in the Library of Congress. In his "Autobiography," (p. 52) Calhoun writes that it was in conformity with the views expressed by him in this speech and after consultation with him and the prominent members of the party that General W. F. Gordon, a distinguished representative from Virginia, introduced at this time a bill to establish the Independent Treasury, but the public mind was not then prepared for the measure, and it failed. Calhoun was himself then opposed to it, speech quoted in Benton's "View," Vol. II, p. 118. According to a statement of Calhoun in 1838, endorsed by Waddy Thompson, Condy Raguet (a well-known merchant of Philadelphia and writer on financial matters) brought the idea of the Sub-Treasury to Washington in 1834 and proposed it to several people (the Charleston "Mercury," Sept. 7, 1838, and Niles's "Register," Vol. LV, pp. 54-55). On the other hand, Charles H. Ambler writes (Thomas Ritchie, "A Study in Virginia Politics," p. 194) that John Randolph had recommended it to Albert Gallatin, while the latter was Secretary of the Treasury. Gordon moved on June 20, 1834, to amend the pending bill for regulating Government deposits in certain local banks so as "to make those who receive the revenue the agents for its custody, when not exceeding a certain amount, and constituting them the agents, also, for its disbursement," and he said that "his object was to disconnect the Government entirely from the system of banks, whether State or federal." I do not find that his amendment was brought to a vote, "Congressional Debates," Vol. X, Part 4, 1833-34, pp. 4640-42. At the next session Gordon offered to the then pending bill to regulate deposits in banks an amendment containing his sub-treasury plan, and it was to some extent debated by himself and others, but soon lost by 33 to 161. "Congressional Debates," Vol. XI, Part 2, 1834-35, pp. 1281, 1331, 1334. The deposit bill itself also failed in the House at this session, after having passed the Senate; see *infra*.

he should be glad to have an opportunity to discuss the matter privately, before the measure was presented. Webster called accordingly and Calhoun explained what ought in his opinion to be done and his reasons for objecting to the proposed plan. Webster considered the matter over night, but told Calhoun, upon the latter's visiting him the next morning, that he had concluded not to change his intention. Calhoun expressed regret, and in reply to an inquiry said that he should not oppose Webster's motion but thought the country was approaching a period of great peril and that he should use the occasion to state at large the opinions he had expressed to Webster.¹³

This was the occasion on which, by pre-arrangement among themselves, Calhoun, Webster, Wright and Benton¹⁴ discussed the general questions involved, and the discussion was amicable and on a high plane, in spite of the fact that with the exception of the single point, on which all of them agreed, of restoring a metallic currency, their views were about as far apart as is conceivable. Calhoun had expressed to Benton a desire to speak first, and to this the latter had assented. Calhoun accordingly spoke on March 21, and we are told by an admiring newspaper¹⁵ that his speech was "the ablest effort of his herculean mind. . . . The Senate chamber, the lobby and the gallery were crowded; and never was any one listened to with a deeper interest or a more profound attention." He objected that the proposed term of six years was too long to allow, if the intention was to wind up the Bank, and too short, if the institution was to be renewed. He preferred twelve years as

¹³ "Autobiography," p. 54; Speech of March 10, 1838, in "Works," Vol. III, pp. 255, 256. Doubtless the key to these matters is largely furnished by a letter of John Sergeant to Nicholas Biddle, dated February 17, 1834, contained in the Nicholas Biddle Papers in the Library of Congress. Sergeant wrote that he thought the best course would be to let Calhoun raise a Committee on Currency and take charge, as had been done in 1816; and he added that Calhoun could bring more power than any one else and could carry the South. Calhoun's plan is not detailed in the letter, but Horace Binney gave it his hearty concurrence and did not at all approve of a short continuance of the charter. Unity of action was imperative, wrote Sergeant, and he would try to bring it about and urged Biddle to help by altering "the feelings of our friend W" meaning of course, Webster, and his plan of a charter for six years. In the end, I think, the conclusion was arrived at not to leave the matter to Calhoun.

¹⁴ "View," Vol. I, p. 435.

¹⁵ The "United States Telegraph," March 22, 1834.

allowing time for passions to cool and to give the country the benefit of some experience. Webster, he said, looked at the matter too much as a question of re-charter, while the real question was in regard to our currency, which was steadily coming to be of paper exclusively.

Later on, he expressed objection to a resort to "the strong box" and the exclusive use of specie, and then went on that he could see no means of extricating the country from its danger.

. . . but a bank — the agency of which, in some form, or under some authority, is indispensable. . . . We must, in a word, use a bank to unbank the banks, to the extent that may be necessary to restore a safe and stable currency. . . . All must see that it is impossible to suppress the banking system at once. It must continue for a time. . . . It would, however, be wanting in candor on my part not to declare that my impression is, that a new Bank of the United States, ingrafted upon the old, will be found . . . to combine the greatest advantages, and to be liable to the fewest objections.

And he advocated provisions in the twelve-year charter which he proposed, to limit gradually the size of the notes which might be issued and thus lead to the use of specie for small amounts. He proposed also that the value of gold should be at once raised to equal at least that of silver and thus lead to the inflow of gold.

Finally, approaching the constitutional question, he once more maintained that, if Congress have the right to receive and pay out anything but specie for its dues and debts, they have the right to regulate its value and to adopt any necessary and proper means (meaning a bank) to effect this object.¹⁶ But even beyond this, he added, the system exists and did exist long before he or any of his hearers entered public life, and there was a marked difference between doing and undoing an act. In the former case, want of constitutional power was conclusive. In the latter, existing circumstances must be consid-

¹⁶ He had made this same contention at the time of the creation of the Bank in 1816: see speech on slavery resolutions in "Works," Vol. III, p. 172, and see also *ante*, Vol. I, p. 193.

ered and an unauthorized act be gradually undone. Who, because he might believe the Louisiana purchase unconstitutional, would today move to blot it out and eject from the Union two flourishing States?

In urging his friends of the State Rights party to support the measure he proposed, he elaborated this view and laid it "down as an incontrovertible principle, that, admitting an act to be unconstitutional, but of such a nature that it cannot be reversed at once, or at least without gross injustice to the community, we may, under such circumstances vote for its temporary continuance — for undoing gradually as the only practicable mode of terminating it — consistently with the strictest constitutional objects." And he instanced the Compromise Act of the last session, in favor of which they had voted, despite the fact that it recognized protection, the unconstitutionality of which was the very basis of their then contest.¹⁷

It seems at first blush that there was a grave inconsistency between Calhoun's advocacy of an independent treasury in his speech of January 13 on the removal of the deposits and the tendency to a national bank shown on March 21 in that just quoted, but the difference is easily explicable. The whole subject was then simply chaos — without form and void,— and all men, except those who remained fixedly in favor of a bank or the bitter enemies of any, were still but groping in the effort at a solution. Calhoun was groping as well as the rest, and his earlier speech evidently did not embody a settled conclusion. In the interim, too, as has been shown from the Nicholas Biddle papers, he had been in pretty close relations with friends of the bank, and this had of course influenced him. He evidently became convinced that an independent treasury was at the time unattainable, and he was too much of a statesman to strive in such a case for what was abstractly best but could not be brought about, and hence aimed rather to secure what amendment of the condition was possible.

¹⁷ "Works," Vol. II, pp. 344-376, or "Congressional Debates," Vol. X, Part I, 1833-34, pp. 1057-73. Webster's measure was shortly laid upon the table on his own motion (*ibid.*, p. 1145) but he did not call it up again, as he said he should do. All his friends were opposed to his plan, Benton's "View," Vol. I, pp. 435, 436.

This is made plain enough by what he wrote in his "Autobiography,"¹⁸ and there, in this connection, may be found, too, the explanation of that expression of his, which has puzzled many,¹⁹ as to using a bank "to unbank the banks." He meant by the rather bizarre term to indicate the idea of adopting a bank for the time being and by its aid getting out of the mire of financial chaos then prevailing, but always with the ultimate object of abolishing all ties with the banking system.

He also spoke at some length on Jackson's protest against the resolution passed by the Senate to the effect that the President had exceeded his authority in the removal of the deposits. Announcing that such a move was best met at the threshold,—or "on the frontier," to use a favorite term²⁰ of his,—he said :

"I shall take my stand at the door of the Senate, if I should stand there alone. I deny the right of the President to send us his Protest. I deny his right to question, within this chamber, our opinions in any case, or in reference to any question whatever. . . . Of all the surprising events in these surprising times, none has astonished me more than that there should be any division of opinion, even the slightest, [as] to the *right*²¹ of the Senate to pass the resolution which has been seized on as the pretext to send us this Protest," and then he went on to insist that such a right had never before been questioned in Congress, the State Legislatures or in Great Britain, for the last century. If the possibility of their judicial functions being called upon during an impeachment deprived the body of the right to express an opinion, individual senators, he said, could equally not express an opinion in debate or otherwise.

He further contended — and possibly here is an instance of his skill as a debater, for the suggestion may well have given some hesitating members a sufficient basis on which to rest their vote against reception — that the question was not at all whether

¹⁸ Pp. 52-54. See also his letters of February 8 and 16, 1834, to his brother-in-law, in the first of which he writes that there is no alternative but hard money or an United States Bank and adds that the "country is not, I think, ripe for the first," and see, too, his personal debate with Clay in 1838, Benton's "View," Vol. II, p. 118.

¹⁹ Benton, among others, *ibid.*, Vol. I, pp. 434, 435.

²⁰ "Autobiography," p. 58.

²¹ Italics are Calhoun's. The truth is that in such questions the right, power, propriety, and expediency of such actions so run into each other as to become soon well-nigh indistinguishable.

the Senate had the right to pass the resolution in question. That had been already determined and could not be re-opened. The only question now was "*Whether the President had a right to question our decision.*"²²

It was in this discussion and having in view the authority to remove from office, that he first announced the opinion that the President has no right to exercise any implied or constructive power, that all such are by the plain words of the constitution²³ vested in Congress and subject to their control. And he then went on to show how in his opinion the provision in question would harmonize our Government and prevent struggles between the departments, in which the Executive as the strongest was sure to win. We shall see this view come on the stage again at the next session.

He also supported in 1833-34 the bill, in which Benton was so much interested and which it has been shown that he had himself already advocated, to raise the coinage value of gold and establish between the two precious metals the ratio of 16 to 1, the object being to lead to the coming of gold into our currency; and at the next session of 1834-35 he advocated the bill²⁴ for the establishment of branch mints at New Orleans, Charlotte, North Carolina, and Dahlonega, Georgia. The purpose of his bill was similar to that changing the ratio of the metals, and both became laws. Clay opposed them warmly, while Calhoun was a chief supporter.²⁵

One other effect of his at this session must be mentioned. At its very beginning (December 9) he brought in a bill to repeal the Force Bill. He evidently had no hope of carrying the measure but spoke to it on April 9.²⁶ It was true, he said,

²² "Works," Vol. II, pp. 405-426.

²³ *Ibid.*, p. 408. He referred to Clause 18 of Section 8 of Article I, to the effect that Congress should have power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers [those granted to Congress], and all other powers vested by this constitution in the Government of the United States, or in any department or officer thereof." See *infra*, pp. 67, 68.

²⁴ See *infra*, p. 217.

²⁵ "Congressional Debates," Vol. XI, Part 1, 1834-35, p. 613. "Calhoun Correspondence," p. 332, "Autobiography," p. 54. Benton's "View," Vol. I, pp. 443, 469, 550-53.

²⁶ "Works," Vol. II, pp. 376-405. "Correspondence," pp. 326, 332, 333.

the Force Bill was to expire by its own limitation, at the end of the then session, but he wanted the precedent "expunged" from the statute-book, so that it should not live on, forever ready to be quoted in favor of like or even more dangerous powers. The speech was of course in the main but another discussion of fundamental questions as to the nature of our government, and need not be much gone into here.

Clay answered,²⁷— and here is perhaps an echo of words said during the negotiations as to the Compromise Act, or an effort to meet Calhoun half-way and smooth the road for him to act with the opposition — that he should not object to the repeal of the military features but that the judicial part was permanent and he doubted the expediency of repealing it. If it soothed the feelings of one heart in the country, he should have no difficulty as to repealing the provisions of the act as to the military, provided the repeal was put on any grounds other than the triumph of nullification. To that he would never give his aid or consent. He assented, he said, to much that Calhoun argued, but thought it not profitable at this time when far worse nullification was doing by the President, which gravely threatened our liberties. He thought Jackson's "proclamation, take it as a whole (although there were many parts of it that met his approbation) as ultra as ever came from the most high-toned of any party that ever existed in this country."

Calhoun wrote to a relative on December 12, 1833, that "there is a pretty strong disposition on the part of many of the N. England senators to vote the repeal; but it is probable that they will not have firmness enough to carry their feelings into effect." The bill was very slightly discussed, and on April 9, 1834, was referred to the Committee on Judiciary with Calhoun's consent. No report was made on it.²⁸

By the end of the session, despite his political isolation, Calhoun's position was one of much power and prominence, and he wrote Van Deventer as early as January 25:

As to myself, I never did, as far as I can judge, occupy a more elevated stand in the confidence of the intelligent and virtuous.

²⁷ "Congressional Debates," Vol. X, Part 1, 1833-34, p. 1283.

²⁸ "Congressional Debates," Vol. X, Part 1, 1833-34, pp. 1266-87.

The clouds are breaking away and my motives and character begin to be understood. I speak freely to an old friend. He was convinced not only that the administration would be overthrown but that the principles he had maintained were steadily gaining. "Our cause," so he wrote his brother-in-law on January 30, "advances rapidly; and you must not be surprised that it should be in the ascendant in less than three years. Jacksonism is broke, and with it Van Buren and I trust his corruption."²⁹

There was doubtless here a large element of the wish that is father to the thought, but the circumstances of the time tended to lead the opposition towards the support of doctrines not so far removed from those of the Nullification struggle. In both instances, the Executive stood forth in bold relief as the impersonation of power, crushing the claims of other agencies in our complicated system of government to a voice in the management of affairs. Now, the Senate claimed a right to criticize the President. Then, a State had asserted a right against the United States. But in both cases the same President was by far the most prominent figure on his side in the effort to beat down opposition. There was of course in the last analysis a very essential difference, but the likeness was quite enough to lead not only to the united action of those, who had recently been bitter opponents, but to enable Calhoun to think, and even to say on the floor of the Senate, that his views of the past session were coming to be looked upon with more favor.

It has been said that at about this time efforts were made to induce him to join the Whigs. Early in the session of 1833-34, Clay had, during his chief speech on the removal of the deposits and before Calhoun had yet expressed himself, thrown out a hint³⁰ that the nullifiers, after their determined opposi-

²⁹ "Correspondence," p. 331, and see also pp. 325, 329, 330, 331, 333, 335, 344. At about this same time, Calhoun and some others were convinced that Jackson was weakening and was at work on a project of a new bank. Letter of John Sergeant to Nicholas Biddle dated February 27, 1834, in the Nicholas Biddle Papers in the Library of Congress. Sergeant adds that Calhoun "always speaks of the Administration as broken down and gone."

³⁰ "And I shall be greatly disappointed if we do not find those who were denounced as being unfriendly to the continuance of our confederacy, among the foremost to fly to its preservation, and to resist all executive encroachments." "Congressional Debates," Vol. X, Part 1, 1833-34, p. 60.

tion to the claims of power in that contest, would certainly now be found in the van contesting against the claims of "despotic power," and to this Calhoun replied in the speech upon the same subject which has been quoted in part, that the prediction was by no means a hazardous one, and then expressed his pleasure to find that the clouds, which had been thrown over the motives of himself and his associates, were beginning to be dissipated. A few months later, moreover, after the session was over and his course known, he was invited to attend the 4th of July celebration by the Whigs at Charlottesville, Virginia. He declined and offered a sentiment in the following words: "State rights and State remedies; the only effectual barrier against usurpation: let them be prostrated, and in the place of an elective chief magistrate, we shall speedily have a military despot."⁸¹

A few years later, Clay seems almost to have thought that a wrong was done the Whigs by Calhoun's "standing in the way" of a union of all the elements of opposition,⁸² but history will not make a very black mark against his name on this account. I find but one instance early in the matter, in which it can possibly be supposed that he was considering union with them. In his speech of May 6, 1834, on Jackson's Protest, he referred to the degeneracy of the times, and then went on that in the midst of it, he saw symptoms of regeneration:

It is not my wish to touch on the party designations that have recently obtained, and which have been introduced in the debate on this occasion. I, however, cannot but remark that the revival of the party names of the Revolution, after they had so long slumbered, is not without a meaning. . . . What is there in the meaning of Whig and Tory, and what in the character of the times, which has caused their sudden revival as party designations, at this time? I take it that the very essence of torism . . . is to sustain prerogative against privilege. . . . Their [the names] sudden revival and application at this time ought to admonish my old friends who are now on the side of the adminis-

⁸¹ Niles's "Register," Vol. XLVI, pp. 405, 406.

⁸² Colton's "Life and Works," Vol. IV, p. 412, letter of March 7, 1838. Presumably, this referred to a design on foot in 1837, which was advocated by Duff Green and is mentioned *infra*, p. 224.

tration that there is something in the times — something in the existing struggle between the parties, and in the principles and doctrines advocated by those in power, which has caused so sudden a revival, and such extensive application of the terms. I have not contributed to their introduction, nor am I desirous of seeing them applied. . . . I wish no change of party designations — I am content with that which designates those with whom I act. It is, I admit, not very popular, but it is at least an honest and patriotic name. It is synonymous with resistance to usurpation — usurpation, come from what quarter and under what shape it may.³³

Actions, too, speak louder than words, and in this respect Calhoun absolutely maintained his independence. It is quite true that, in 1834 and for several years, he supported in the main the policies which were urged by the Whigs in their warfare with Jackson, but what else could be expected of him, in view of his past? And even here, there were several instances in which he opposed the Whigs and supported administration measures. This was markedly the case in the session of 1833-34, as to the Gold bill and that for branch mints, and his leaning to the independent treasury as against both a national bank and the league of banks was made fairly evident at the same time. . . . It has been already said,³⁴ moreover, that he never attended a Whig caucus.

It must be added here that for a time after the Nullification contest, Calhoun thought that his correspondence was not safe in the mail but was tampered with, and he aimed to send answers to his correspondents by some other "safe channel."³⁵

At about the same date, State questions also demanded attention. In the spring of 1834, the Supreme Court of South Carolina held by a vote of two to one that the test oath of the Nullification period was unconstitutional,³⁶ and the question arose what should be done. Calhoun advised his friends to avoid all rash measures and to aim to secure at the next election a two-thirds majority.³⁷ This was accomplished and the

³³ "Works," Vol. II, pp. 424, 425. See also "Autobiography," p. 61.

³⁴ *Ante*, Vol. II, p. 46.

³⁵ "Correspondence," pp. 323, 339.

³⁶ *State vs. Hunt*, 2 Hill, 1.

³⁷ "Correspondence," pp. 338, 342.

constitution amended to provide for a test oath. Great excitement followed at once among the Unionists, but the majority party met them half way by resolutions which explained that the oath was not meant to have any such effect as the Unionists feared of disfranchising them or calling on them to do things they thought inconsistent with their obligations to the United States. Complete harmony followed, and the long-lasting split in the State which had grown up during nullification was finally laid to rest.³⁸ When, too, a year later, the Court of Appeals which had rendered the decision in the test oath case, was abolished, the sitting members were transferred to the new courts created and thus provided for, and their functions hardly curtailed.³⁹

During the next (the second or short) session of the Twenty-Third Congress, there was but one subject in regard to which Calhoun was very prominent, and the session seemed a quiet one after the endless turmoil of the first or Panic Session. The great number of removals from office made by Jackson offered the opposition a strong point of attack, and they were not slow to take advantage of it. On January 6, 1835, Calhoun moved the appointment of a Select Committee of six on Executive Patronage and was elected Chairman by the Senate. One month later (February 9) he brought in from the committee an elaborate report covering a wide ground and containing some far-reaching suggestions.

Benton, who was also a member, writes ⁴⁰ that at their first meeting a sub-committee of three, with Calhoun at its head, was appointed to draft a report and that in a very short time they were called together again to hear the draft read. Benton apparently thought that the report had in reality been prepared in advance and writes that he was "surprised at it — both at the quickness of the preparation and the character of the paper. It was an elaborate, ingenious and plausible attack upon the

³⁸ Niles's "Register," Vol. XLVII, pp. 190, 235, 261, 286, 287. Calhoun's "Autobiography," p. 49. He wrote in 1838 that he had advised this settlement, in order that they might be able to meet abolition by the united voice of the State, "Correspondence," 408.

³⁹ O'Neill's "Bench and Bar," Vol. I, Chap. XXII, pp. 273, 281.

⁴⁰ "View," Vol. I, pp. 556, 557.

administration." Perhaps Benton was right and we may find here an instance of Calhoun's methods: he was in the habit of studying beforehand and not infrequently prepared ahead for moves he had in view.

The report touched upon the very large increase in the number of federal officers in recent years, the great surplus revenue then in hand and the power secured to the Executive by the "pet banks" in which the government funds were deposited, entirely at the discretion of the Executive, and the question was then discussed how to remove or lessen these evils. One natural means would be to cut off the income, but this could not be done to any considerable extent, as its chief source, the tariff, was fixed by the Compromise Act and was an agreement between the sections which could not be altered. They therefore reported (1) a joint resolution to amend the constitution so as to authorize the distribution among the States of the surplus revenue until 1843 (the date of termination of the Compromise, when the income would be much less), (2) a bill to regulate the deposits of public money and (3) a bill to repeal the four years' term of certain officers.

While of course asserting its entire freedom from partisanship, the report was in reality in a high degree caustic upon the then Executive and its hosts of removals, as well as for other reasons, and in one part read that the Committee were "compelled to admit the fact that there never has been a period, from the foundation of the Government, when there were such general apprehensions and doubts as to the permanency and success of our political institutions; when the prospect of perpetuating them, and, with them our liberty, appeared so uncertain; when public and political morals were more depressed; when attachment to country and principles were more feeble, and devotion to party and power stronger." It also referred largely to the conclusions arrived at by the Senate Committee of 1826 upon the subject of the patronage.⁴¹

Benton had been chairman of this earlier committee, which was, like its successor, to a large extent a move in the game of political warfare, and he had brought in a report strongly

⁴¹ Calhoun's Report is in his "Works," Vol. V, pp. 148-190.

tinctured with disapproval of the rapidly growing executive patronage of that day and its alleged abuses, but his then language was not suitable in 1835 as the platform of a man who had come to be a chief supporter of Jackson. Hence, when Calhoun's Report was made on February 9, 1835, there was a not surprising explosion of temper upon the part of the irascible and often over-bearing member from Missouri. He at once attacked Calhoun and the report, and there was for some time a warm interchange of personalities.

Benton went so far in one instance as to say something in regard to Calhoun's statements being "a direct attack upon truth," when he was called to order and the words taken down. In reply to an effort of King to make peace, he replied that "he should not explain," and when for some reason the chair decided that the words did not charge falsehood and that he was therefore in order, the decision was at once reversed on appeal but Benton allowed to continue upon motion of Calhoun and Webster. At about this time the tumult was awful and the reporter writes that "not one word of what was said by the Vice-President reached the reporters' gallery." Presumably, this was the stage of the matter to which Mrs. Smith referred, when she wrote to her sister that Congress had hitherto been very tranquil but that there was great agitation over Calhoun's report,— "some personal violence it is said in the Senate, even a duel apprehended. The Senate chamber was crowded to crushing with ladies—I never go on such squeezing occasions." ⁴²

One would think that contests of this character must have been highly distasteful to a man of Calhoun's nature, and in this instance he said that "the Senate will bear me witness that there is no member of this body more disposed to discuss subjects on their abstract merits, without involving personalities, and that I never deviate from this course but when the remarks of others compel me to do so." None the less, he could be stinging in sarcasm and pay back in much the same coin as that meted out to him, and in the present instance was blunt enough. "The whole course," he said, "of the Senator

⁴² "First Forty Years," etc., pp. 368, 369.

from Missouri on this occasion was unbecoming a gentleman." And again he charged Benton with "bellowing" out his denials, and said that "in the long speech with which he had entertained the Senate, there was very little that was relevant or deserving of notice." He ridiculed, too, the "boldness of assertion" of the member from Missouri, adding that he has "less profusion in the power of ratiocination."

Leaving this dispute by the wayside as the mere dust of battle, the net result at the second session of the Twenty-third Congress was that the resolution to amend the constitution was not brought to a vote,⁴³ while the act to regulate the public deposits and that relating to the tenure of office passed the Senate, but failed in the House.⁴⁴ The session was the short one, and in addition to this the threat of war with France left little time for other matters. All three proposals will soon appear again.

The question of regulating the management of the government funds⁴⁵ and as a part thereof of what to do with the steadily increasing surplus was a leading one in the politics of that day, and to the South seemed perhaps more vital than to other sections of the country, because it had in the past exercised an important bearing on the tariff question. Calhoun, in his Report on Executive Patronage, estimated the annual surplus of the government for the eight years 1835-1842 as likely to be about nine million dollars, and to this was to be

⁴³ Benton ("View" Vol. I, p. 567) adds to this that it was never mentioned after the first discussion, by which he means, of course, never debated in Congress; it was offered again at the next session. Hammond, who was a bitter man, but often had an illuminating way of expressing the most ultra Southern feeling, wrote J. W. Hayne on July 4, 1835: "Shall we divide the surplus after Calhoun's plan (which look at closely) or let the rascally dogs keep it and corrupt themselves with it?" J. H. Hammond Papers in Library of Congress.

⁴⁴ Congressional Debates, Vol. XI, Part 1, 1834-35, pp. 576, 660. Journals of the Senate and House.

⁴⁵ In his annual message of December, 1834, Jackson had written: "The attention of Congress is earnestly invited to the regulation of the deposits in the State banks, by law" (Congressional Debates, Vol. XI, Part 2, 1834-35, "Appendix," p. 7); and Woodbury, also, in a special message at the same session, recommended the subject to the attention of Congress (*ibid.*, p. 106). A bill upon the subject had passed the House at the session of 1833-34, in pursuance of resolutions brought in by Polk from the Ways and Means, Congressional Debates, Vol. X, Part 3, 1833-34, p. 3752, *ibid.*, Part 4, p. 4760; "View," Vol. I, pp. 398, 399.

added the already accumulated surplus of over thirty millions,⁴⁶ thus making an enormous sum to be held subject to governmental control in our young country, and especially so under that system which the party cry of the day had dubbed "the pet banks," and which consisted of a number of State banks selected by Executive discretion and as yet subject exclusively as well as entirely to Executive control.

Calhoun as well as others saw the danger of this, and the bill to regulate the public deposits, which it has just been seen, he had introduced in February, 1835, from the Committee on Executive Patronage, was designed to correct the evil and to regulate by law the selection of the banks of deposit and their management of the funds. It received in the Senate the large vote of 28 to 12, and will shortly appear again. It is evident that he soon had his mind made up to introduce once more at the next session at least the joint resolution to amend the constitution. He wrote in November to two leading members from Georgia,⁴⁷ urging them to have their State move in favor of the deposit of the surplus and the constitutional amendment therefor which he had brought in at the last session, and pressed upon them especially the advantage which would thus result to their State in providing funds for the system of railroads then so much under discussion.

Not long after Congress met again in December, 1835, in the First Session of the 24th Congress, Clay brought in a bill to distribute among the States the proceeds of the sales of public lands—a favorite measure of the politicians of the day. It is enough to say here that it passed the Senate but made no progress in the House and was finally laid upon the table on June 22 by 104 to 85.⁴⁸ At about the same time when it was offered in the Senate, Calhoun again (December 29) offered the two bills and the joint resolution which had been

⁴⁶ Report on Executive Patronage in "Works," Vol. V, pp. 157-173. His speech upon the Public Deposits in "Works," Vol. II, pp. 543, 544, rather serves to confuse than to elucidate as to the figures. See also Edward G. Bourne's "Surplus Revenue of 1837," pp. 16, 18.

⁴⁷ "Correspondence," pp. 349-52.

⁴⁸ Congressional Debates, Vol. XII, Part 2, 1835-36, p. 1396. House Journal, p. 1075.

recommended by his Committee on Executive Patronage of the preceding session, and the then fate of which has already been told. Of these, the resolution to amend the constitution so as to permit distribution of the surplus until 1843 was never called up, the same end being attained in another way shortly to be shown, while the bill as to the tenure of office again passed the Senate by 23 to 20 ⁴⁹ but was not taken up in the House.

A portion of this last bill, which seems to have largely escaped the attention of historians, was contained in the third section and aimed to curb the President's control of patronage by providing that in all cases of nominations to fill vacancies occasioned by removals, he should assign the cause of removal. The same provision had been contained in the bill proposed by the committee of 1826 upon the presidential patronage during John Quincy Adams's presidency. In his speech ⁵⁰ upon the bill, Calhoun directed his argument to the question of the Executive's right in the matter, basing himself on the constitutional provision ⁵¹ giving Congress power to enact laws to carry out the powers vested in it or in any department or officer of the government; and he insisted that the power of removal not being expressly given to the Executive could therefore only be implied and was hence necessarily with all implied powers, vested in Congress under this clause. The subject cannot be extensively gone into here. ⁵²

⁴⁹ Congressional Debates, Vol. XII, Part 1, 1835-36, p. 367. There was no discussion on this occasion, but at the prior session Webster and others had debated the subject to some extent, including the section to require the President to file his reasons for removals, *Ibid.*, Vol. XI, Part 1, 1834-35, pp. 458-492. John Quincy Adams, who had been the butt of the like proposal of 1826, denounces in his usual bitter vein the reasoning of Calhoun and Webster, "Memoirs," Vol. IX, *passim*.

⁵⁰ "Works," Vol. II, pp. 426-446.

⁵¹ Article I, Sec. 8, Clause 18, quoted *ante*, Vol. II, p. 57.

⁵² The speech in which Calhoun first announced his general position as to implied powers was made on May 6, 1834, and as recently as January 13 of the same year (speech on removal of deposits, "Works," Vol. II, p. 330), he had assumed and based an argument on the right of the President to remove from office,—which is an implied power. It was probably in connection with Jackson's removals that he came to his new conclusion, and at the present session in his speech on removals from office ("Works," Vol. II, p. 430), he announced that he had theretofore relied upon long acquiescence in the President's right of removal, but had at the prior session (1833-34) examined the debates of 1789 and had been forced to conclude that the strength of the argument was with the opponents of the

In regard to the remaining measure, the bill to regulate the deposits of public money in the State banks, Calhoun seems to have concluded that it was not for him, now that the administration had a majority in the Senate, to take charge of it and announced on some occasion ⁵³ that he should leave it to them to provide a remedy for the alarming state of affairs prevailing. As a result of this move, Silas Wright offered on April 6, an amendment to Calhoun's bill, which was in reality a substitute.

Calhoun's bill ⁵⁴ proposed to adopt as banks of deposit all those institutions then in use as such, and authorized the Secretary of the Treasury to select, under certain circumstances, other banks as might be needed, but all those selected by either method were no longer to be under the mere control of the Executive Department but to be subject to certain prescribed conditions. It provided that they should pay two per cent. interest on government deposits and should maintain a reserve in specie of 20 per cent. in their own vaults or on deposit with other specie-paying banks, and it forbade the use of transfer warrants except with a view to disbursements. These warrants, so Calhoun claimed, were the lever by which funds could easily be transferred from one section to another with the design of speculation by raising or diminishing the amount of currency in particular localities.⁵⁵

Wright's amendment, on the other hand, authorized the power: he then turned to the Constitution, he said, and "was struck with the full force of the clause which I have quoted, and which, in my opinion, forever settles this controversy." The argument from the strict letter would perhaps be hard to meet, but may we not see here an instance of that ease in finding logical short-cuts to justify a course one wants to uphold, which distinguishes many able minds? I am not aware that Calhoun continued actively to maintain the view in later years in the Senate, but it is again set forth in his posthumous "Discourse on the Constitution," etc., "Works," Vol. I, p. 220.

⁵³ Congressional Debates, Vol. XII, Part 1, 1835-36, p. 1101, where Wright so says. Calhoun's letter of June 19, 1836, to Hammond in Hammond Papers. "Autobiography," p. 56.

⁵⁴ Its provisions varied somewhat at different stages. The details in the text are as Calhoun stated in his speech of May 28, 1836. "Works," Vol. II, pp. 534, 569.

⁵⁵ Perhaps there was in this provision some hasty politics for the benefit of the million, for very soon after its passage a supplementary law was passed to limit its application. Act of July 4, 1836, "Congressional Debates," Vol. XII, Part 4, 1835-36, Appendix, pp. 45, 46.

Secretary to select new banks and regulate these, but it left the existing ones to be still under the control of the Executive, precisely as theretofore. It did not require the payment of interest on government deposits. It did not prohibit the use of transfer warrants, and the provision as to the reserve required was asserted not to be clear. Finally, it contained a new provision designed to get rid of the surplus. The commissioners of the sinking fund were to estimate, at the beginning of each quarter, the probable receipts and expenditures; and whenever in their opinion the receipts and the money in the treasury would exceed the expenditures by a certain sum (\$5,000,000) the excess should be employed to purchase State stocks, while, in case of a deficiency, a sufficient quantity of these stocks should be sold to meet the deficit.

Calhoun had evidently by this date become convinced that the plan of a constitutional amendment to authorize for a time the distribution of the surplus among the States was impracticable. So rapid, he said, had been the accumulation and so pressing was the danger, that that method was too tardy. To this reason for the move which he now made must, perhaps, be added the pressure of politics. Distribution in some form was extremely popular, and in his own State and region it promised an easy mode to further greatly the vast and vastly popular design of building railroads. Clay's land bill, moreover, having passed the Senate, was pending in the House, and might well have been enacted into law, but past experience had shown that Jackson was likely to veto such a measure. Influenced by some or all of these motives and perhaps by the statesman's, as well as the politician's, desire to accomplish results and not merely to chase theories, Calhoun abandoned all idea of amending the constitution for the purpose. He accordingly moved on May 25 an amendment to his own bill for regulating the government deposits providing for depositing the surplus on hand at the end of the current year with the States in proportion to population.

It was an ingenious device, so ultra-ingenuous as more than likely to have originated in Calhoun's brain. The idea was to steer clear of all question of the constitutional right to *dis-*

tribute, and instead of this make a *deposit* with the States in much the same way as the funds were already deposited with banks. But after all, the difference between distribution and such a deposit was exclusively verbal. The new plan was in essence, though not in words, as much a distribution as the old, an absolute gift with no thought or real possibility of ever drawing the money out or calling it back again in any way. The few opponents at the time spoke of it as a juggle with words, but none the less it was highly popular and Calhoun moved the amendment out of order by general consent.

One other proposition had been made with the view of getting rid of the pestering surplus. This was indicated in Benton's resolutions⁵⁶ calling upon the Executive to inform the Senate as to the "probable amount" necessary for adequate military and naval defence, and a bill to authorize liberal expenditures for these purposes, but evidently not so large as Benton had in view, became a law at this session. The main plans under discussion were this one of Benton's; bald distribution, of which one form was contained in Clay's land-bill; that suggested by Wright in his motion to invest the surplus in the loans of the States; and Calhoun's⁵⁷ idea of a deposit with the States, subject to recall.

In spite of Calhoun's early determination not to take the lead in the matter, it is evident that he was much interested, and he wrote⁵⁸ on May 25 of "the deposit bill, of which I have had special charge." He spoke to it on May 28⁵⁹ and objected that Wright's plan of investing in the purchase of State loans would be very unequal, for, though no details of

⁵⁶ Congressional Debates, Vol. XII, Part 1, 1835-36, p. 106. See *ibid.* Part 4, "Appendix," pp. 28, 29, for the law which was passed.

⁵⁷ Webster had also introduced a motion not so dissimilar, and according to the "National Intelligencer" (See Niles's "Register," Vol. L, pp. 235, 236) when the subject was, upon Calhoun's motion, referred to a select committee at a late stage, it was largely due to Webster that a bill was reported back containing the distribution clause much as Webster had earlier moved it. The bill, as it finally passed the Senate, is printed in *ibid.*, pp. 290, 291.

⁵⁸ Letter to S. L. Gouverneur in Bulletin of N. Y. Public Library, Vol. III (1899), pp. 332, 333. Calhoun became convinced that Wright was in reality opposed to the bill (he voted against it in the end), and then himself again took the lead. Letter of June 19, 1836, to Hammond.

⁵⁹ "Works," Vol. II, pp. 534-69.

such loans were furnished, it was none the less well known that many States had little or none such outstanding while three large ones had a very large amount. His plan, he said, would be equal among the States, and certificates of deposit could, if necessary, be taken which should draw interest after demand. To the claim that the deposits would never be actually recalled, he gave a quasi-assent,⁶⁰ but added that there would at least be the great advantage that, in order to avoid making such a call, Congress would resort to "a just and proper economy."

The proposal to dissipate the surplus on fortifications and armament, he objected to strongly, on the ground of the difficulty of ever reducing expenditures, when once raised, and he reminded members that in a few years, under the terms of the Compromise Act, the income would be greatly reduced and there would probably be no surplus. This idea he thus threw out of the almost impossibility of cutting down expenses was one of the tenets of his political faith, and on another occasion he said he had "been greatly surprised, in the outset of his public career, when an old and experienced statesman had told him that it was a much easier thing in Congress to lay duties on the people than to take them off."⁶¹

The deposit bill met with strong opposition from a few members in the Senate, and an effort was made by Wright late in the contest to have it separated into two measures, one for the regulation of the deposits in banks and one for the distribution of the surplus in accordance with Calhoun's amendment, but this failed and the bill passed on June 17, by 40 to 6 and went to the House. In that body a proposal of its own for the regulation of the deposits in banks was pending, but had hung fire and on June 20 the Senate bill was taken up. The very next day, after an unavailing effort on the part of the House to divide, the Senate bill was amended by a large ma-

⁶⁰ In 1841, when Clay and the Whigs were urging a distribution, Calhoun moved an amendment that the amounts already due by the States under the deposit act should be deducted from their shares under the proposed acts and contended that there had been no understanding as to non-return. The amendment was at once lost by 12 to 29, and was doubtless not expected by him to be adopted. "Congressional Globe," Twenty-seventh Congress, First Session, p. 357.

⁶¹ Congressional Debates, Vol. XIII, Part 1, 1836-37, p. 879.

jority by the insertion of a new clause as to the deposit of the surplus with the States and was then at once passed by 155 to 38.

The amendment so made in the House was evidently an outgrowth of Jackson's wishes. He had intimated to R. M. Johnson that he would veto a bill for a loan in any form but sign one for deposit in the shape he specified. The amendment offered was then evidently prepared to meet his wishes, but the differences were so slight that one cannot but suspect that Calhoun's paternity of the Senate provision was in reality a leading cause for the President's dislike of the Senate bill. The latter provided that the certificates to be given by the States could be sold by the United States in case of need and should then bear 5 per cent. interest, and Anthony, the mover of the House amendment, asserted that the deposit proposed by the Senate provision was "in the nature of a loan," and hence obnoxious to Jackson's objection. The House amendment omitted the provision as to sale and interest, and provided that the certificates to be given by the States should express "the usual legal obligations of common depositories of the public money for the safekeeping and repayment thereof."⁶²

At the time when this amendment was offered in the House, Johnson had gone about among members telling them of the President's wishes, and the amendment (so Johnson wrote Jackson at "6 o'clock p. m." of the same day) "went like wildfire or the fire of the prairies." Thus we see once more that form, mere words, can at times be of vital moment, even to the most hard-headed and "practical" of men, for, the Senate having at once concurred in the House amendment upon Calhoun's motion, Jackson signed the bill on June 23. He had, however, apparently some doubts still, wrote Taney

⁶² These exact words were in the amendment as moved, but were slightly changed in the bill passed. Other writers have narrated the proceedings in the two houses to some extent differently, but I think the above account is correct. The proceedings in the Senate are to be found in *Congressional Debates*, Vol. XII, Part 1, 1835-36, pp. 52, 53, 1101: *ibid.*, Part 2, pp. 1383, 1577, 1598-1635, 1637, 1639, 1657, 1693, 1742, 1744, 1745, 1763-69, 1775-78, 1781-87, 1793-1846, 1857-59. The House proceedings are in *ibid.*, Part 3, pp. 3733, 3734: *ibid.*, Part 4, 4322-28, 4339, 4350, 4378-80. See also Benton's "View," Vol. I, pp. 649-51.

in regard to his action and received a reply which was rather adverse as to the essence of the matters involved but took the view that Jackson had done right to sign the bill under all the circumstances and (perhaps especially) because of the great majorities in its favor.⁶³

The measure thus enacted contained provisions to regulate the deposits of government funds with banks, and also for the deposit of the surplus in hand on January 1, 1837, above five million dollars, with the States in proportion to the total representation of each, in quarterly amounts without interest but subject to recall. Shortly after its passage, Calhoun wrote two correspondents of the benefits to flow from it, adding that it would reduce appropriations by many millions and that about thirty-five millions would be deposited with the States under its terms. He added, with evident reference to the railroad system contemplated in his own State that it "consummates our Carolina movements."⁶⁴ Early in the next session, too, on December 21, 1836, he introduced a bill to extend the deposit provisions of the Act of June 23, 1836, which had applied only to the surplus for the year 1836, so as to direct the like deposit of any surplus remaining on hand on December 31, 1837, and spoke⁶⁵ shortly to it.

This bill was then referred, against Calhoun's wishes, to the Committee on Finance, but there it seems to have slept. Later, the House added to the Fortifications Bill, which the Senate had sent down to them, an amendment directing a further deposit with the States, but the Senate struck the amendment out, in spite of Calhoun's efforts to save it. He reminded members of the triumphant passage of the measure at the last session, but added that he wanted distribution as a temporary process only,—“it was to be used as medicine, and not as food.” But the Senate adhered firmly to its decision, and as the House was equally determined, both the fortifica-

⁶³ R. M. Johnson's letter to Jackson of June 21, 1836, in the Jackson Papers in the Library of Congress. McMaster's "United States," Vol. VI, pp. 322, 323. Johnson's letter is cited by Prof. McMaster as being of June 2, but it is of the 21st.

⁶⁴ "Correspondence," pp. 361, 362.

⁶⁵ "Works," Vol. II, pp. 569-81.

tions bill and further distribution fell in the end between the two houses.⁶⁶

Two of the quarterly deposits with the States called for by the Act of June 23, 1836, were paid in cash when due, and the third one, due July 1, 1837, was also paid, but in depreciated money, owing to the outbreak of a financial panic. The fourth instalment falling due October 1, 1837, was never paid. Ere that time came, the country was prostrate with the panic and the federal treasury in such a hopeless state that Van Buren had long since been forced to call an extra session of Congress together. In his message at the opening of this called session, he recommended that the fourth instalment should be postponed, and a bill for this purpose passed both branches before long, but only after excited debate in which not a few members insisted upon payment as a right. The measure so passed postponed the payment of the fourth instalment until January 1, 1839⁶⁷ and at the same time safe-guarded the States from being called upon to repay the instalments already received by placing the discretion with Congress instead of with the Secretary of the Treasury. Calhoun supported this measure and voted for it.

When, however, the date so named came about, there was no surplus on hand and payment was not then made, nor has it ever since been made. Some States seem to have applied for the money, and not much less than 50 years afterward one brought an unsuccessful suit to recover its share. On the other hand, suggestions have twice been made for the United States to recall the instalments paid over to the States, but they will doubtless sleep the sleep of eternity among the unavailable funds carried on the books of the Treasury. The disposition in the States generally of the sums received does not belong in these pages, but it should be said that in South Carolina — so different from what was the case in many others — they were put to good use, the whole sum of slightly over one million

⁶⁶ Congressional Debates, XIII, Part 1, 1836-37, pp. 77, 376, 377, 999-1001, 1019-1023.

⁶⁷ "Congressional Globe," First Session, Twenty-fifth Congress, pp. 8, 30, 32, 70, 80, 89, 90-92.

dollars going to payments on stock subscribed to by the State in her very ambitious railroad projects then pending.⁶⁸

The idea of distribution under any guise was certainly a very bad one and was due primarily to the Compromise Tariff of 1833, by which the hands of Congress were, in effect, tied for ten years, and it became thus impossible to reduce the redundant revenue to the needs of government. Our public men throughout the country, seeing the vast sum lying in the Treasury, became hungry to lay their hands upon it for one purpose or another. Calhoun dreaded the power conferred by the surplus, but was apparently at one stage of the matter also deeply infected with this same hunger and eager to press on the policy.⁶⁹ Doubtless, he served his political interests thereby and held out a very appetizing bait to the people he more especially represented, but at least it was honestly and profitably administered in his State and served to help on a great system of public improvement.

It may be doubted whether in all Calhoun's career there was any other *ad captandum* policy with which he was so closely associated, but the medley of human motives is hard to fathom, and perhaps his desire to curb the power of the Executive was by far the prevailing one with him. Only a few years later, in December, 1838, he steadily supported the efforts once more to postpone the payment of the 4th instalment, and said of the deposit act that it had "performed its functions," and he had no apprehension of a surplus for many years. "There was not a man in that chamber," he went on, "who was more opposed to a distribution than he was. He resorted to it as a remedy rendered imperiously necessary by the existing state of things. The act having accomplished its object, he was willing that it should be repealed, and the sooner it was done the better."⁷⁰

During the 1st session of the 24th Congress (1835-36) which has been mainly under discussion, many other subjects besides those relating to the surplus and the regulation of the

⁶⁸ Edward G. Bourne's "Surplus Revenue of 1837," pp. 41-43, 107-110.

⁶⁹ See remarks in his speech of December 28, 1836, "Works," Vol. II, p. 582.

⁷⁰ "Congressional Globe," Twenty-fifth Congress, Third Session, p. 31.

deposits came under discussion and were considered at length by Calhoun. Some of these, too, were of vital moment in his life as well as to the country. The agitation of slavery was by that time growing very active and it became for the first time a burning subject of discussion in the halls of Congress.

As we near the noise and unceasing wrangling of thirty years and more over this portentous issue, which soon nearly overwhelmed all others, the responsibility of one who is writing a Life of the great Southern leader becomes vastly greater. The task is to show to the modern world, which has forgotten the conditions existing not far from a century ago, how human and how natural was the course of the South. It will be well then to stop here for a time and direct attention to the character and home life of our subject, before entering upon the last decade and a half of his life, during which slavery and the maintenance of the equality of his section became the exacting problems of his thoughts and more and more filled his declining years with sorrow and forebodings of evil.

CHAPTER III

PERSONALITY OF CALHOUN

Appearance — Character — Private Life — General Tendencies — Political Opinions and Motives.

IN person, Calhoun was a large man. Six feet and one or two inches in height,¹ his frame was on the same generous scale, and he seems to have been what some call heavy-boned. Fairly erect, but gaunt and rather thin, his figure, as well as his face, impressed people as angular, and some found the features harsh. The head was massive with a broad and high forehead, over which stuck up erect in youth, in the defiant style characteristic of the race from whose loins he sprung, a profusion of short-clipped brownish,—or at least dark,—hair, which turned in later years to gray, or white, and was then worn longer so that it fell in great masses over the temples, as is well shown in some extant likenesses. His mouth is described by Harriet Martineau² as inflexible, and his head as “one of the most remarkable in the country,” while others write of his general expression as serious but kindly.

He walked with long strides and a swinging gait, and is said to have generally seemed abstracted and far away from the region where he was sauntering along. Indeed, when in mental repose, he was perhaps always rather lost in abstraction,³ but when excited or under the stimulus of interest, every feature showed thought and character, and the brilliant

¹ Col. Starke, who knew him well, gives this as his height in his sketch published with the “Correspondence,” p. 85.

² “Retrospect of Foreign Travel,” Vol. I, p. 200.

³ Harriet Martineau (“Retrospect of Foreign Travel,” Vol. I, p. 243) speaks of him as “the cast-iron man who looks as if he had never been born, and never could be extinguished”; but she had no comprehension of him and fell into some awful errors. In one instance (*ibid.*, pp. 246, 305) she came under his fascination, as will appear later in this chapter.

eyes fairly blazed with the burning fire of his mental processes.

The eyes were the feature which at once struck all. Deep-set, underneath great prominent brows, they glowed out from their caverns like live coals and seemed to have an infinite profundity. Haunting, some called them, meaning that they took and held possession of one, while enemies dubbed them as spectral. A young woman, who had recently often seen him in Washington, wrote to ⁴ a friend in 1832 that, though she was not much addicted to political reading, she had, under the influence of "the light of Mr. Calhoun's splendid eyes still lingering in my imagination," read every word of his letters in the pamphlet in answer to Jackson. And in later years as well, those who came under his searching glances, whether in the fascination of his private conversation or while he was addressing the Senate or other assemblage, felt the same mysterious power in those hawk-like eyes. People differed as to their color, but they seem to have been blue or gray. Jenkins, his early biographer, writes that "they were dark blue, large and brilliant; in repose growing with a steady light, in action fairly emitting flashes of fire."⁵

He was always very plainly dressed. A suit of black broad-cloth, such as was so generally worn by the men of the South, composed his almost universal clothing, and I think his correspondence contains but one reference to the subject, when he forwarded his measure and wrote his son-in-law in Europe on September 12, 1844, to "send me a suit of broad-cloth and a pair of pantaloons, both black, and a waistcoat of the same, or some suitable colour." Dress was not for ornament but

⁴ Mrs. Smith's "First Forty Years of Washington Society," p. 333.

⁵ My general authorities are Jenkins's "Life," p. 446; William Mathews's "Oratory and Orators," pp. 312, 313; N. P. Willis's "Hurry-Graphs," pp. 180, 181; "National Portrait Gallery of Distinguished Americans," Philadelphia, 1854, Vol. I, "Sketch of Calhoun." Many other authorities could be cited. Mrs. Andrew Pickens Calhoun, granddaughter of Mrs. Clemson, has written me that her father, Gideon Lee, told her that when a boy of six or seven,—and far from a timid child,—he was taken into the Senate by his father in 1829 or 1830 and introduced to several Senators, among whom Calhoun was one. When, however, the latter leaned over to pat young Lee on the head, the boy began to cry and said: "he was a ghost with burning eyes," and Mr. Lee added that he would "never forget how white his face was, nor how large and fiery his eyes beneath his heavy brows."

for comfort.⁶ It is said⁷ that he owned for many years a magnificent cloak of otter-skins, given him by an Indian Chief, which was his travelling companion and aided his none too strong lungs to endure the exposure incident to long rides from South Carolina to Washington, such as we have seen he had to make at times in stage wagons or even local conveyances.

In a day when at least gambling and drinking were most prevalent forms of vice, Calhoun lived an exemplary life, free from any suspicion of such taints. His private life was as pure as his public, and no suspicion has ever rested on either, nor was any slur ever cast at him but that it quickly fell to the ground and was forgotten. Public men, moreover, are at times hard pressed by circumstances which are nothing to the private citizen. Thus, in 1839, when the finances of the country were fairly chaotic, a note of Calhoun and his son-in-law was in bank and payment demanded. As a public man, Calhoun had but one course open,—to pay,—and wrote Clemson on April 30 to take it up, “be the sacrifice what it may, within any reasonable scope; and I will divide it with you, or assume the whole, rather than fail to raise the means.” It would never have done for a man of his prominence on banking and financial questions either to struggle for delay or allow the note to go to protest.

He had some proper pride, moreover, in such matters, and when in 1845 Abbott Lawrence wrote asking some additional security for a loan of \$30,000, which Calhoun had wanted for himself and son on terms which he thought already very favorable to the lenders, Calhoun wrote on May 13 to decline the offer, not only because they could probably not comply with the conditions proposed to be added, but also because “the impression your letter made on my mind is, that your offer is made from a disposition to oblige me on the part of yourself and friends, and that with some inconvenience to you and them. If I am right, as greatly as I am indebted to you

⁶ Authorities *supra*: Jenkins's “Life,” p. 448; Gaillard Hunt's “Life,” p. 176.

⁷ Mrs. Patrick Hues Mell's article on Calhoun's home at Fort Hill, in Charleston “Sunday News,” March 26, 1905. Mrs. Mell writes that the dilapidated remnants of the cloak were still hanging in a room at Fort Hill.

and them for your kind feelings, I could not accept, for reasons which I feel sure you will duly appreciate on reflection."

Political life had its fascination for Calhoun, but it was to the home circle that his heart went out. "I long to be home and be quiet," he writes⁸ on one occasion, and again tells his eldest daughter,⁹ then seventeen years of age, that, were it not for her letters, . . .

. . . I would not have heard a word about the humming birds, their familiarity, the vines, their blooms, the freshness of the spring, the green yard, the children's gardens, and finally Patrick's mechanical genius and his batteaux, every item of which excited agreeable associations, but accompanied with the painful recollection of my long absence from those so dear to me. I hope the period is now near at hand that will put a termination to my absence. [Congress will probably adjourn in a month.] If so, a month more, and my face will be turned homeward to my great delight.

All through his correspondence such letters as this abound, with the kindest messages to his children and later grandchildren¹⁰ and full, too, of evidences of his anxiety in cases of sickness or any other trouble.

With Mrs. Calhoun there is every reason to suppose that his relations were most happy, but she was probably not a companion or confidante for him in political matters to nearly as great an extent as his eldest daughter, Anna Maria, later Mrs. Clemson, became after maturity, unless possibly very early in his career before the first disappointments as to the Presidency. No letters between the husband and wife seem to have been preserved. She was apparently a woman of her own ideas and requiring to be persuaded rather than commanded. In 1838, when some alterations were planned at Fort Hill and Mrs. Calhoun evidently designed to have them made, while he was in Washington, he wrote his brother-in-law on April 21 that he had "long since learned by sad ex-

⁸ "Correspondence," p. 481.

⁹ *Ibid.*, p. 336; and pp. 379, 380.

¹⁰ The very latest letter printed in the "Correspondence" and written three weeks before his death, to his son-in-law, closes with the words: "kiss the children for their grand-father."



MINIATURE OF MRS. JOHN C. CALHOUN

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perience, what it is to build in my absence. It would cost me twice as much. [I have written her fully on this point and wish you would] add your weight to mine to reconcile her to the course I suggest."

They had nine children,—Andrew Pickens, born 1811;¹¹ Floride, born January, 1814, and died April 7, 1815;¹² Anna Maria, born February 13, 1817;¹³ a daughter Elizabeth, born 1819, died March 22, 1820;¹⁴ Patrick,¹⁵ born February 9, 1821; John Caldwell, born May 17, 1823; Martha Cornelia,¹⁶ born April 22, 1824, died in Abbeville, May 2, 1857; James, born April, 1826, died unmarried in California; William Lowndes, born August 13, 1829. Here was a large family, and to the household was added for at least some years the mother-in-law, Mrs. Colhoun. She died probably in 1835 or 1836.¹⁷ Of the sons, three married and left issue. Mrs. Calhoun, the widow of John C., survived her husband for a number of years, not dying until July 25, 1866, at the age of seventy-four, after the besom of war's destruction had swept over the South, which her husband had so long, but vainly, striven to save from fate.

Of the home circle we are told by one who evidently had unusual opportunity for observation:

¹¹ For date of Andrew's birth, see Calhoun's letter of December 21, 1811, to Mrs. Colhoun. He married Duff Green's daughter Margaret and managed the Alabama plantation, as will sufficiently appear later in my text. My authority as to the children unless some other is referred to, is in all cases Mr. Salley's article on the Calhoun Family in Vol. VII, "South Carolina Histor. & Genealog. Magazine," p. 159.

¹² "Correspondence," pp. 126 and 128.

¹³ Anna Maria married Thomas G. Clemson, Nov. 13, 1838 ("Correspondence," pp. 405, 425). Their children died before them (Mrs. Patrick Hues Mell's article in the Charleston "News" of April 30, 1905); but a granddaughter survived and married (Lee v. Simpson, 134 United States Reports, 542, &c.). Mrs. Clemson died September 22, 1875. Her name is very frequent in Calhoun's "Life," and she was evidently his favorite child.

¹⁴ Mrs. Smith's "First Forty Years of Washington Society," pp. 148-150. "Correspondence," p. 173.

¹⁵ Patrick was appointed to West Point in 1837, "Correspondence," pp. 369, 380, and see 481. He remained in the Army, and died in 1858; *ibid.*, p. 715.

¹⁶ Cornelia was an invalid, apparently a cripple. In 1838, Calhoun wrote (*ibid.*, p. 394) to his son Andrew, that "the physicians have a good deal of hope of restoring Cornelia," but I do not think this hope was realized.

¹⁷ "Correspondence," p. 363.

Life to him was solemn and earnest, and yet all about him was cheerful. I never heard him utter a jest; there was an unvarying dignity and gravity in his manner; and yet the playful child regarded him fearlessly and lovingly. Few men indulge their families in as free, confidential and familiar intercourse as did this great statesman. Indeed, to those who had an opportunity of observing him in his own house, it was evident that his cheerful and happy home had attractions for him superior to those which any other place could offer. . . . I remember seeing him at his daughter's wedding take the ornaments from a cake and send them to a little child. . . . His eldest son [told me that] he had never heard him speak impatiently to any member of his family. . . . I never heard him ridicule or satirize a human being. Indeed, he might have been thought deficient in the sense of the ludicrous.¹⁸

Another writer tells us that

When at home, he was an early riser and, if the weather allowed, took a walk over his farm. He breakfasted at half-past seven, and then retired to his study and wrote till three. After dinner, he read or conversed with his family till sunset, when he took another walk till eight o'clock, when he took tea and passed the time in conversation or reading, and at ten retired to rest.¹⁹

Some have supposed that Calhoun was a man of great wealth, but this does not appear to have been the case. He was a Southern land-owner, beset with all the uncertainties of his class. At the same time he must have inherited some property from his father and derived more from his marriage with one who is described as an heiress, and it has been seen that he was very successful as a lawyer. He wrote²⁰ in 1837 that his "highest ambition as to money is to be independent, in a moderate and plain mode of living. I have just about sufficient for that purpose, and it is all I want."

¹⁸ "The Private Life of Calhoun," a letter by Mary Bates to her brother in the North, Charleston, 1852, published by request. The letter is also printed in the "International Magazine," Vol. IV (1851), pp. 173-180, and at least in part reproduced in "Homes of American Statesmen," New York, 1844, under article on "Calhoun."

¹⁹ "Homes of American Statesmen," as above, in article on Calhoun. Jenkins's "Life," p. 447, is to precisely the same effect.

²⁰ "Correspondence," pp. 374, 375.

At one time, perhaps, he narrowly missed riches. By 1834 he owned some land at Dahlonega, Georgia,— when bought or how derived does not appear — and from that date he hoped that a gold mine would be found on it. This hope was realized by 1841, and Duff Green wrote in 1842 that a rich gold mine had recently developed. Calhoun was, of course, much interested, visited the mine several times, and wrote that he operated it “on a cheap and safe scale, with a small force.” The promise of a large yield did not long hold, however, and before the end of that same year he had to regret that the indications were less favorable. This seems to have remained the case, and the mine soon drops back into oblivion.²¹

At different times of his life he owned several homes. Soon after marriage, he and his bride went to live, as has already been shown in these pages, at a place he called “Bath,” on the ridge between the Savannah and Little rivers; and this remained their domicile for a few years. He still owned this once home in 1831,²² but I do not know what disposition was finally made of it. Their residences in and near Washington have also already been shown. In later years he owned a large plantation in Marengo County, Alabama, which was managed by his son Andrew. He had apparently an interest in it, and the “hands” or slaves were at times sent from Fort Hill to this plantation.²³

But the home with which Calhoun’s memory will ever be associated is “Fort Hill,” which, it has been seen, he bought in 1826,²⁴ when he and his wife determined to fix their residence in the South, instead of in Washington, as they at one time thought of doing. It was situate in Pendleton, “near the mountains,” as Calhoun wrote a friend in the North from whom he was hoping for a visit in 1841, and added that “the soil is indifferent but the climate fine.” In a later letter

²¹ *Ibid.*, pp. 337, 355, 492, 514. Duff Green, June 10, 1842, to Calhoun, in Calhoun as seen by his political friends in Publications of Southern History Association, Vol. VII, pp. 358-60.

²² “Correspondence,” pp. 301, 302.

²³ *Ibid.*, pp. 426, 486, and *passim*. Article on “Calhoun,” by ex-Governor Perry, in “The Land we Love,” Vol. VI (March, 1869), p. 398. See also “Personal Traits of John C. Calhoun,” in the Washington “Daily Union,” August 18, 1849.

²⁴ *Ante*, Vol. I, p. 282.

to this friend, he spoke of the region as perfectly healthy, even to a Northern constitution. It was about 1000 feet above sea-level.²⁵ Another writer, who often lived near by, tells us that the residence occupied a commanding site on the banks of the Seneca River, which was some 200 feet below, and that "luxuriant fields of cotton and corn sloped down to the water's edge. Wooded hills rose beyond, stretching away to the foot of the mountains, where the bold outlines of the Blue Ridge . . . bounded the view."²⁶

Hosts of friends and public men made stays at Fort Hill, and it is no doubt true that "the house was full of guests, who were welcomed with the open hospitality of the days of Southern prosperity."²⁷ To this a writer in a lighter vein adds²⁸ that in 1861, at about the time of the outbreak of the Civil War, a full conclave of leading men in Montgomery "were exalting John C. Calhoun's hospitality. He allowed everybody to stay all night, who chose to stop at his home. An ill-mannered person," so this authoress goes on, "on one occasion, refused to attend family prayers. Mr. Calhoun said to the servant, 'Saddle that man's horse and let him go.' From the traveller, Calhoun would take no excuse for the 'Deity offended.'"

Part of the house at Fort Hill was old, but Calhoun enlarged it, apparently at different times. From the dining-room one saw to the south the grass-covered yard with its venerable oaks, and beyond that the orchard and garden and "the noted Fort Hill in the distance,—the hill which gave the name to the plantation." On this were the remains of an old fortification built by General Pickens in Revolutionary times, to overawe the Cherokees. The house was a fine building with a row of the impressive columns so usual in Southern architecture. The office, or library, in which he did the

²⁵ Calhoun, July 24, 1841, to M. Sterling, and another letter to the same (the exact date of which I failed to note) in Calhoun Letters in Collection of John Gribbel, Esq., of Philadelphia. "Personal Traits," etc., as above.

²⁶ "John C. Calhoun from a Southern Stand-Point," by Charles Cotesworth Pinckney, "Lippincott's Magazine," Vol. LXII, pp. 81, 82.

²⁷ Mrs. Patrick Hues Mell in the Charleston "Sunday News," April 30, 1905.

²⁸ Mary Boykin Chesnut in her Diary under date of March 11, 1861, printed in "A Diary from Dixie."

greater part of his work, was a separate building. Both still stand.²⁹

The labor and domestic service on the plantation, which contained about eleven hundred acres, were of course that of slaves and on it would have been found the "quarters" and all the other marks of slavery. The negroes are said to have numbered 70 to 80.³⁰ It is not possible in this book to go into any examination of that ancient system. That it always had a very ill side, to the master perhaps more than to the slave, is to my mind clear, but modern opinion has left behind the belief in the bloody and cruel wrongs once thought so nearly universal wherever it existed. That such occurred is doubtless true, but the lurid accounts of some few decades ago have faded into disbelief, and probably it is generally accepted today that the slaves in our South were usually treated with kindness and lived a life of ease, cared for in a thousand ways which the very poor can rarely hope to realize for themselves. The absence of liberty, the repression, and the enforced necessity to labor at the command of some other faulty mortal, of course remained.³¹

On the Calhoun plantation they were, beyond doubt, kindly treated, and the one or two cases of discipline we know of were necessary parts of the system and not different from what virtuous men and even tender women mete out to their own children.³² Calhoun himself had occasion once to write

²⁹ Mrs. Mell, as above. Charles Cotesworth Pinckney's "John C. Calhoun from a Southern Stand-Point" in Vol. LXII (July, 1898), "Lippincott's Magazine," pp. 81-90.

³⁰ "Personal Traits," etc., as above. In Calhoun vs. Calhoun (2 Rich. (So. Ca.) Reports, p. 283) it appears that there were in 1854 but about 50 slaves. For the size of Fort Hill, see Lee v. Simpson, 134 United States Reports, p. 572, *et seq.*

³¹ Hammond wrote Calhoun on May 10, 1844 ("Correspondence," pp. 953-955) that he had been little in close contact with his negroes since 1839 and was "astonished and shocked to find that some of them are aware of the opinions of the Presidential candidates on the subject of slavery and doubtless of much of what the abolitionists are doing and I am sure they know as little of what is done off my place as almost any set of negroes in the State." He fancied that there was a growing spirit of insubordination among the slaves in his section.

³² The modern world is at times horrified at reports of the flogging of slaves. It forgets that the same punishment was then and for a number of years administered in the armies and navies of our own and other countries, is yet a penalty for wrong-doing in some of our States and was

a few words on this general subject. He was charged by the Rev. Charles T. Torrey, an abolitionist, in the columns of the *Christian Citizen*, with having "sold another man's wife for a harlot." Pathos was added by saying that she was "a beautiful and pious girl; a member of the Methodist Church." She was a slave on Calhoun's plantation. This article was sent him by some one, apparently with the genuine desire to know the truth as to such a specific and hideous charge, and Calhoun answered,²³ of course denying the utterly false assertions and demanding that his answer should be published in the same sheet which had printed the falsehood.

In the course of this letter, Calhoun wrote his inquirer:

My character as a master is, I trust, as unimpeachable, as I hope it is in all the other relations of life. I regard my relation to those who belong to me, in the double aspect of master and guardian, and am as careful to discharge the duties appertaining to each, as I am those, which appertain to the numerous other relations in which I am placed.

And the already quoted Miss Bates, who had evidently seen much of the Calhoun home-life, wrote²⁴ of his character as a master that "all who knew him admit that it was exemplary," and then specified as follows:

A free negro in Washington begged him to intercede for his return to Carolina. Calhoun told him he would do for him all he could. Once a son designed to take a slave family to Alabama, but the mother slave told Calhoun she would prefer to stay, even if all her family went. Calhoun said: "I could not think of her remaining without either of her children; and as she chose to stay, we retained her youngest son, a boy of twelve years."

A neighbor, too, wrote of him years afterwards that "he was a good master, controlling his workmen firmly and kindly. He required honest labor from all dependents, and in return provided wisely for their comfort and welfare. An accom-
in Calhoun's day and down to very recent times frequent, or general, in schools.

²³ "Correspondence," pp. 627-29.

²⁴ "The Private Life of John Calhoun" as above, pp. 21, 22.

plished lady of Massachusetts, a frequent guest at his house, is credited with the remark that the best argument Mr. Calhoun could make for slavery was to bring his friends to Fort Hill." ⁸⁵ These opinions and the instances given, as well as the absence of even general charges to the contrary by enemies in the North or elsewhere, are quite enough to establish the fact of Calhoun's kindness as a master.

The known cases of possible discipline are as follows and are very few and mild in nature to be the only survivals from the long career of a public man who believed in meeting dangers on the threshold and at once crushing them. In the summer of 1818 one of his domestics in Washington ran away during his absence, "without any just provocation," and was thought to have made for Philadelphia. Calhoun wrote ⁸⁶ a friend in that city, asking him to employ "some active constable, or agent accustomed to that business" to make search for the slave and then to use the process necessary for his recovery, the nature of which he did not know. Nothing remains to show the result of this effort.

In 1827, while he was in Washington, the negroes at his South Carolina home grew disorderly, and Mrs. Calhoun became quite uneasy. He wrote his brother-in-law ⁸⁷ that he hoped "they have been brought into entire subjection; but I must ask it as a favour for you to see that all is right, and if not the most decided measures be adopted to bring them to a sense of Duty." Again, here nothing remains to show the outcome.

The only established instance of whipping occurred in 1831. Aleck, a house-servant, ran away from Fort Hill, after having been threatened by Mrs. Calhoun with a severe whipping on account of an offence to her. He made for the woods, but was caught in a few days, apparently near Abbeville, and Calhoun wrote Armistead Burt that, as he was "desirous to prevent a repetition, I wish you would have him lodged in jail

⁸⁵ "John C. Calhoun from a Southern Stand-Point," by Charles Cotesworth Pinckney, in "Lippincott's Magazine," Vol. LXII (July-December, 1898), p. 87.

⁸⁶ August 4, 1818, to Charles J. Ingersoll, "Correspondence," p. 136.

⁸⁷ January 15, 1827, to John Ewing Calhoun, *ibid.*, p. 240.

for one week, to be fed on bread and water, and to employ some one for me to give him 30 lashes well laid on at the end of the time. . . . I deem it necessary to our proper security to prevent the formation of the habit of running away, and I think it better to punish him before his return home than afterwards." ³⁸

These were some of the burdens and cares of plantation-life, but to Calhoun the occupation was one of great interest and often his dream of bliss amidst the cares and disappointments of public life. He had managed the home plantation, after his father's death, with marked success, and he never ceased his interest in farming operations. The Autobiography of 1843 mentions this side of his character, and he was a member of Agricultural Societies,³⁹ as well as actively concerned in experiments aimed to better the methods in use. In 1821, when the fire of youthful ambition burned brightly, he found time, during a tour of inspection as Secretary of War, to study the farming system in Maryland and Pennsylvania and wrote that the farmers there made "much more to the hand than what we do." The methods employed and the results were detailed at some length to his brother-in-law, who was informed:

"I consider my absence from my farm among my greatest sacrifices." ⁴⁰

To him was due the use in South Carolina of "hill-side ditching," designed to prevent the washing away of the soil and of manure on hills.⁴¹ He introduced into his section Bermuda grass for grazing purposes,⁴² sent his brother-in-law Siberian spring wheat with minute directions as to how best to plant it,⁴³ experimented in rolling cotton-seed in plaster ⁴⁴ and took various steps to improve their breed of cattle and hogs. Thus, he imported blooded cattle, especially the Eng-

³⁸ *Ibid.*, pp. 301, 302.

³⁹ "Autobiography," pp. 5-6; "Correspondence," p. 197.

⁴⁰ *Ibid.*, pp. 195-197.

⁴¹ *Ibid.*, p. 668; also see the general authorities referred to below.

⁴² "Calhoun as a Lawyer and Statesman," by Walter L. Miller of the South Carolina bar in "Green Bag," Vol. XI, p. 197.

⁴³ "Correspondence," p. 388.

⁴⁴ *Ibid.*, pp. 670, 671.

lish red Devon cows,⁴⁵ and wrote ⁴⁶ in 1845 that he had "not seen the Devon bull yet; but hear that he is a fine animal, and is in good order." He tried, too, to bring to Fort Hill an improved breed of hogs.⁴⁷ All this made up a good deal for a man to do, who had so many other exacting occupations and who was necessarily so much of the time absent from South Carolina.⁴⁸

He was, of course, obliged for this reason to have some one manage the place for him much of the time. His son-in-law, Clemson, appears to have done this to entire satisfaction in 1841,⁴⁹ but in the end of the prior year he wrote that "Stevens had totally neglected everything, so much so, that I could take no pleasure in going over the place on my return last summer."⁵⁰ It seems that a daily examination was one of his delights at Fort Hill, and it was said in contemporary accounts⁵¹ of him that he made these "with his long stick in hand and strides as long." A modern writer, who knew Calhoun well and often lived near him, occasionally accompanied him in these daily examinations, which he says were made on horseback, and adds that details of the work on the farm were left chiefly to his agent, while he aimed directly at results and attained these "with a practical sagacity which I had not expected in a mind so intensely theoretical."⁵²

Calhoun was probably at no time of life endowed with that vast,—almost redundant,—health, which is the lot of a few mortals. The history of his boyhood indicates the same thing even at that period, and he was not an old man, before his powers began to weaken. In early manhood, however, his

⁴⁵ Miller's "Calhoun as a Lawyer," etc., *ut supra*.

⁴⁶ To Thomas G. Clemson, March 23, 1845, "Correspondence," p. 650; also p. 478.

⁴⁷ *Ibid.*, p. 460.

⁴⁸ On Calhoun as a farmer, generally, see Miller's "Calhoun," *ut supra*, and ex-Governor Perry's article on Calhoun in "The Land we Love," Vol. VI (March, 1869), pp. 397-403.

⁴⁹ "Correspondence," pp. 471, 473, 477, 480.

⁵⁰ "Correspondence," p. 467.

⁵¹ Account of Calhoun from the New York "Morning Post" in the Charleston "Mercury" of January 6, 1843. See also Jenkins's "Life," p. 447, and "Correspondence," p. 650.

⁵² Pinckney's "John C. Calhoun from a Southern Stand-Point," "Lippincott's Magazine," Vol. LXII, pp. 81-90.

frame was for a time able to meet severe demands, and he is himself authority⁵³ for the statement that, when he took charge of the War Department in 1817, at the age of 35 years, "it was difficult to discharge its duties with less than 14 or 15 hours of severe daily labour," but this did not probably last very long, and in a decade and a half the story was quite different. As early as 1820, he seems to have had some severe illness,⁵⁴ but he recovered quickly that time, and we hear little of his health then for some few years.

By the time he entered the Senate in January, 1833, however, when he had reached fifty, his powers were far from what they had been. He bears weight⁵⁵ on his very exposing ride in the early spring of 1832 from Washington to the sessions of the Nullification Convention in Columbia, and it seems that by January, 1833, his chest had already begun to show signs of weakness, and "to protect it he wore under his clothing a large sheet of paper."⁵⁶

This general condition continued from that time on, and by 1839 he was writing of frequent colds and soon telling members of his family that the colds were generally attended by a good deal of cough and that he rarely went out at night.⁵⁷ In 1845, it has been shown, he had an "attack of congestive fever, which had much endangered his life."⁵⁸ From about that date, too, his voice frequently gave out,—as at the Memphis Convention,—and this led to his being excused from Committee service in the Senate because of the probable demands for frequent explanation on the floor. Later pages will add the last details to this story of gradual failure and show that lung trouble was long the main cause.

Calhoun's manners to all were most kind and courteous, but he was specially attracted by young men and aimed to draw them to him and then (so it was said by opponents)

⁵³ "Autobiography," p. 30.

⁵⁴ Letter of July 24, 1820, to M. Sterling, in Collection of John Gribbel, Esq., of Philadelphia, referring to his recent illness and the interest the country took in it. He was, however, well again by the middle of August, "Correspondence," p. 177.

⁵⁵ "Autobiography," p. 48.

⁵⁶ Gaillard Hunt's "Calhoun," p. 176.

⁵⁷ "Correspondence," pp. 437, 505, 586, 606.

⁵⁸ *Ibid.*, p. 644.

convert them to his beliefs. Some, who were perhaps possessed of an overweening idea of their own coming importance, thought he was influenced in this by the belief that he was dealing with one who might rise to influence in his own community, but the tendency with him was too general for this to be the case. It is hard to see, for instance, how Oliver Dyer, a reporter in the Senate, could be of political aid to Calhoun.⁵⁹

In the same general connection, one of his greatest pleasures, and one in which he excelled in the highest degree, was private conversation. All tell this story. The author of a sketch of him printed in New York in 1823⁶⁰ wrote that "when engaged in conversation, his face is lighted up into unusual animation, indicating by its changes the various and rapid intellectual movements within. His manners are plain, unassuming and easy, the unaffected offspring of general kindness and good-will. His colloquial powers are of the first order." John Wentworth — far from an admirer in general, — wrote in his *Reminiscences*⁶¹ that "he was the most charming man in conversation whom I ever heard," while Oliver Dyer, who was an Abolitionist and at first far from inclined to admire but had as a reporter in the Senate good opportunities for further observation, enlarges on this, and writes of him:

As I became better acquainted with Calhoun⁶² I liked him better. At last, I had a genuine affection for him, and mourned over what seemed to me to have been his political decadence. . . . He was by all odds the most fascinating man in private intercourse that I ever met. His conversational powers were marvellous. His voice was clear, sweet and mellow, with a

⁵⁹ See, for example, Josiah Quincy's "Figures of the Past," p. 263. Oliver Dyer is quoted below, and several other authorities refer to this same trait. See especially ex-Senator Bradbury in letter printed in "The Gulf States Magazine," Vol. I (1902-03), p. 284.

⁶⁰ "Measures, Not Men. Illustrated by some remarks upon the public conduct and character of John C. Calhoun," by a Citizen of New York, pp. 45, 46.

⁶¹ "Congressional Reminiscences" (Fergus Historical Series, No. 24), p. 20.

⁶² "Great Senators of the United States Forty Years Ago," pp. 172, 185, 188.

musical, metallic, ring in it which gave it strength without diminishing its sweetness. His pronunciation and enunciation were perfect. His manner was simple and unostentatious. He talked on the most abstruse subjects with the guileless simplicity of a prattling child. His ideas were so clear and his language so plain that he made a path of light through any subject he discussed. . . . His benignant greeting in the morning was like a benediction that lasted the whole day.

One other writer must be quoted. Ex-Governor Perry writes⁶³ that he never found "a kinder man, or one more plain and unassuming than Mr. Calhoun," and goes on to say:

. . . But I was particularly struck with his kindness and winning manners at his own home. . . . The first visit I paid Mr. Calhoun, we were alone the whole day, and from 10 o'clock till dinner was announced, I do not think either of us left our seats for a moment, nor was there scarcely a pause in the conversation. He was in fine spirits, and his conversation was truly fascinating. It was not that of a studied speech or lecture,⁶⁴ in which Mr. Calhoun too often indulged with his admiring listeners. It was natural and simple, cordial and cheerful, amusing and instructing, giving and taking, calling in the whole range of his life's experience, thought and learning. He spoke of his course in Congress, described his co-temporaries, told anecdotes of Randolph, Lowndes, Jackson, Polk, Benton and others. . . . I have always said that all great men were egotists. Cicero and Demosthenes were eminently so. Mr. Calhoun was not without this

⁶³ "Reminiscences," *ut supra*, 400. Many other authors in the same general vein could be quoted. See, for example, Geo. W. Julian's "Political Recollections," p. 87; Josiah Quincy's "Figures of the Past," quoted *infra*; Charles J. Ingersoll, in his "Life," by William M. Meigs, pp. 266, 267; James Buchanan in Moore's "Works," Vol. XII, pp. 76, 77; "Calhoun, Seward and Lincoln," an Address by Hon. J. M. Ashley in the "Magazine of Western History," Vol. XII, p. 601. Ashley had been a member of Congress and, though a hater of all Southern ideas, speaks in high terms of Calhoun.

⁶⁴ Wentworth ("Congressional Reminiscences," p. 21) writes that "he spoke like a college professor, demonstrating to his class. His position was stationary, and he used no gesticulation. His pale and livid countenance indicated the cloister. His voice was silvery and attractive, but very earnest." And he then goes on to refer to how Calhoun would lead a hearer on from simple premises until the latter would wonder what was after all the difference between his own views and extreme State Rights.

foible of greatness. . . . He liked very much to talk of himself, and he always had the good fortune to make the subject extremely interesting and captivating to his hearers.

In regard to what were the qualities which made him so attractive, Miss Bates must once more be quoted. This intimate writes: ⁶⁵

Were I asked wherein lay the charm which won the hearts of all who came within his circle, I could not at once reply. It was, perhaps, his perfect *abandon*, his sincerity, his confidential manner, his childlike simplicity in union with his majestic intelligence, and his self-renunciation—the crowning virtue of his life; these imparted the vivid enjoyment and the delightful repose which his friends felt in his presence. It was often not so much what he said, as his manner of saying it, that was impressive.

But far above and beyond this, he had the fire of genius in him, a brain with many powers such as are rarely born with men. Faults, there were, of course, but his mental capacity enabled him to see a thousand things with a clearness which others could not approach. Ex-Senator Bradbury, of Maine, was of opinion that “he stood next to Webster in intellectual power in a Senate that contained such great men as Clay, Benton, Douglas, Chase and others and that History will assign him a place among the men of genius.” ⁶⁶

A remark made to the present writer many years ago by the head of a Southern University that Calhoun and Jonathan Edwards were endowed with the greatest minds our country has produced, but that Calhoun’s peculiar capacities were a little lost in the field of politics, is well worthy of consideration. And it is a curious fact that Calhoun had read Locke “On the Human Understanding” at the age of about thirteen and was evidently absorbed by it, while Edwards read it at fourteen and equally had left upon him a deep and abiding impression. ⁶⁷ Not that the fact that two great minds read the

⁶⁵ “Private Life of Calhoun,” *ut supra*, pp. 23, 24.

⁶⁶ Letter dated 1897 and printed in “The Gulf States Historical Magazine,” Vol. I (1902-03), p. 284.

⁶⁷ Alex. V. G. Allen’s “Life of Jonathan Edwards,” p. 5. The similarity

same work in boyhood argues any positive betterment of their respective mental capacities thereby, but rather that the ability to digest such a heavy meal demonstrates the great endowment which both had at an early age.

The power to analyze complicated circumstances and show what were the underlying and controlling factors hidden in the tangle was undoubtedly that in which Calhoun especially excelled. "He was fond," says Jenkins,⁶⁸ "of tracing out causes and the vast combinations of circumstances that produced a certain result or what he called in politics a juncture or crisis."

This is shown in a thousand of his speeches, and the ease with which he would explain what was unutterable confusion to most men was doubtless one of the leading reasons why he always commanded attention in the Senate or elsewhere. His solvent method, as well as the remarkably clear language in which he would put his views, convinced many, while opponents felt the need, as well as the difficulty, of answering him. Perhaps, this capacity is a dangerous one for a public man to employ, and it inevitably leads to the charge of being a mere metaphysician, but it is often a most valuable trait in leading from darkness to light.

The charge that he was merely splitting hairs was many a time made against Calhoun in his lifetime, and authors of modern days often find it easier to dispose of his contentions by saying that he was "spinning cobwebs," rather than to undertake the task of answering him, but he was beyond all question a wonderful thinker and his general views have in my opinion never been answered, if once it is admitted that his method of approach was the correct one. "Grant him but his premises," writes a modern author,⁶⁹ "and he leads you willy-nilly to his conclusions," and thousands of others have felt the same trouble.

Calhoun at times answered these charges and was, it seems, not without that pride of intellect — so different from mere

of mind of Edwards and Calhoun is commented upon in Rufus W. Griswold's "Prose Writers of America," p. 173.

⁶⁸ "Life of Calhoun," p. 449.

⁶⁹ "Southern Statesmen of the old Régime," by William P. Trent, p. 171.

vanity — which probably results from daily seeing far more clearly than those about one. During the debates in regard to State Rights in 1833, Clayton charged him with being a metaphysician, and he answered⁷⁰ with no little appearance of pride in his own capacity and some irony aimed at his opponents, that he despised metaphysics but looked very differently at “the power of analysis and combination — that power which reduces the most complex idea into its elements, which traces causes to their first principles, and by the principle of generalization and combination unites the whole in one harmonious system,—then, so far from deserving contempt, it is the highest attribute of the human mind. It is the power which raises man above the brute.”

Of course, Calhoun had at the same time the faults of his class. Not a little of his thinking was of the *a priori* character, so general with thinkers a few decades ago and probably at all times, if to-day it is rather in eclipse, and his habits of analysis tended to this. A story is told⁷¹ of him, which shows the exact methods of the earlier political economists. Once, during the Nullification troubles, he was riding home on horseback from his mine at Dahlonega and stopped for a night at the house of one Jones in Georgia. Jones, who did not know Calhoun, was strongly opposed to Nullification and soon began to denounce it, Calhoun and other leaders in the policy.

Calhoun strove to avoid a discussion but could not succeed in this effort, so he put a story of seven people, four shoemakers and three tanners, who made a partnership which was to be governed by the majority in all things not otherwise ordered by their articles. One restriction was that direct taxation should be in exact proportion to the voting in their council or board, of which all seven partners were equal members. Direct taxation was expected to furnish the main support, but in time indirect taxation was brought in and the four shoemaker members of the council ere long put a heavy duty on imported shoes, leaving leather duty-free, and so became rich

⁷⁰ “Works,” Vol. II, pp. 231, 232.

⁷¹ “Reminiscences of the Time of Nullification,” Anonymous, in “Southern Literary Messenger” (1861), Vol. XXXII, pp. 249-257.

and oppressed the tanner minority. The narrative fails to tell us the influence of this figment on the mind of Jones, but it does tell us once more, as all accounts do, of Calhoun's flashing, brilliant eye, and the absorbing interest of the story.

In another instance, he was acknowledging to Professor Vethake the receipt of the latter's "Principles of Political Economy," and expressed his agreement with some of the conclusions, while dissenting from others. Among the latter was, of course, the position that duties on imports always fall on the consumer. He went on that in all questions of the kind, "an important General Principle [is] entirely overlooked; that the effect of taxes of any description, viewed in the abstract, is to depress, and not to raise prices, as is generally supposed. I say viewed in the abstract, for it is clear, that the necessary effect of a tax is to raise the value of money, by creating a new demand for it,"⁷² and thus leaving less for general purposes.

He then goes on, as it seems, to apply this supposed, and certainly almost infinitesimal, tendency to depress prices to the concrete instance of a tariff tax, with apparent disregard of the latter's enormous and almost irresistible tendency to raise prices. It is perhaps an instance of the perils of abstract reasoning, such as nearly all men indulge in, or perhaps Calhoun was merely writing a polite and hasty letter of thanks for a book from which he dissented in the main.

There is always to a mind like Calhoun's, the danger of drawing too fine distinctions and of over-elaboration, against which Gladstone is said⁷³ to have been warned on some occasion,—not to bring into a discussion a recondite view beyond the grasp of ordinary men, but to deal with it without refining. It was an advice sadly needed at times by Gladstone who would now and then bury his meaning under a Pelion of mere words, and perhaps it would have been well for Calhoun also to follow the precept.

Calhoun it seems,⁷⁴ looked upon language as "the most

⁷² "Correspondence," pp. 400, 401.

⁷³ Morley's "Gladstone," Vol. I, p. 376.

⁷⁴ R. M. T. Hunter, January 19, 1844, to Calhoun ("Correspondence," p. 914), in which the writer of the letter says, in referring to Calhoun's

flexible of human instruments," and in the very instance in which this is said of him by a friend, had used language such that that friend and numerous others found it very embarrassing to know what course he meant them to pursue. Indeed, numbers of his friends acted quite differently from what he really intended. It happened, I think, not very infrequently that his meaning was not at once made clear to other minds, and he was in effect charged ⁷⁵ as early as the Bank contest in 1814 with being a dialectician.

If there was at times an element of truth in these charges, they were at least in general far removed from the reality and reflect rather the methods of the advocate, who finds it hard to answer the argument of his opponent and hence seeks to cover it with ridicule. Calhoun's mind was intensely active and did now and then over-refine, but generally the apparent fault was due to his habit of long and close thinking on a thousand subjects, so that he had already seen sides of them quite undreamed of by others. And it was not then easy to make his hearers quickly see distinctions already very clear to him.

The readiness with which he often met constitutional or other questions suddenly arising, is astonishing, but was probably in reality the result of hours of study and reflection in regard to matters not at the time under actual consideration. So active was his mind, so fond was he of discussing subjects which racked the brains of more lethargic people, that he at times wearied his friends. Dixon H. Lewis, the Senator of 430 pounds and long a close friend, wrote ⁷⁶ in 1840 "Cal-

reported letter of withdrawal of his name from the Baltimore Convention, that he had often heard him express the opinion stated in the text, but is evidently in doubt as to what was really Calhoun's wish. The meaning Calhoun intended to convey in his letter of withdrawal can to-day be found in it by us, but it was very different in 1844 to friends having to act suddenly and in doubt whether they might not ruin his chances, as well as their own. See *post*, pp. 279-281.

⁷⁵ In reply to Calhoun's great plan of a bank, Ingersoll asserted that the plan was fantastic and thought its author's speech, though clear and well-digested, one "in which he unquestionably showed his own preparation and capacity for explaining and supporting any favorite project he may choose to introduce," *Annals of Congress*, Thirteenth Congress, 1814-15, Vol. III, p. 605.

⁷⁶ Lewis, March 20, 1840, to R. K. Crallé, in "Calhoun as seen by his

houn is now my principal associate, and he is too intelligent, too industrious, too intent on the struggle of politics to suit me except as an occasional companion. There is no *relaxation* with him. On the contrary, when I seek relaxation with him, he screws me only the higher in some sort of excitement." And a rather favorable newspaper account⁷⁷ has it that some Senator once changed his mess in Washington so as "to escape thought and Mr. Calhoun."

In the same line, too, when Judge Prioleau came to Pendleton to live and first met Calhoun, he was asked how he liked him, but at once replied to the horror of his questioner: "Not at all. I desire never to see him again." Nor was the admiring Pendletonian content until the judge explained: "I hate a man who makes me think so much. For the last three hours I have been on the stretch, trying to follow him through heaven and earth. I feel wearied with the effort; and I hate a man who makes me feel my own inferiority."⁷⁸

Calhoun was, moreover, in a high degree self-confident and was aware of this tendency. He wrote his friend Sterling in 1828,⁷⁹ with an apology for speaking of himself, that he always followed the truth, wherever it might lead and added "I cannot do otherwise. Whether it be too great confidence in my own opinion I cannot say, but what I think I see, I see with so much apparent clearness as not to leave me a choice to pursue any other course, which has always given me the impression that I acted with the force of destiny."

Others saw the tendency in a different light, as may be seen from a story Perry tells⁸⁰ of a discussion he heard at a dinner between Calhoun and Butler. Calhoun had said that capitals were always on the side of a country and not in the middle. Butler thought otherwise and cited the cases of Madrid and Jerusalem, but Calhoun answered that Madrid

Political Friends"; "Publications of Southern History Association," Vol. VII, p. 355.

⁷⁷ The New York "Morning Post," as reproduced in the Charleston "Mercury," January 6, 1843.

⁷⁸ Pinckney's "Calhoun from a Southern Stand-Point," "Lippincott's Magazine," Vol. LXII, p. 84.

⁷⁹ Letter of May 15, 1828, in the Collections of John Gribbel, Esq.

⁸⁰ "Reminiscences," pp. 398, 399.

was a Moorish City, and not originally the Capital. Perry could not recall how the instance of Jerusalem was disposed of, but adds that he once heard Warren Davis speak of a difference of opinion as to the trade-winds between Calhoun and an English sea-captain, the burden of which was that, though the Captain said he had often crossed the equator and that his observations did not sustain Calhoun's theory, the latter maintained his view, and the arguments he advanced satisfied his hearers that he was right and the Captain wrong.

This tendency was much the same as the disposition "to harrangue," which Hammond referred to in 1831⁸¹ and the dictatorial style in political matters complained of bitterly enough by some of Hammond's correspondents at a later date.⁸² I cannot but think, too, that the terms of his letter of May 21, 1844, to R. M. T. Hunter were a little too commanding, when he wrote of being glad that Hunter would be at the Baltimore Convention and added: "You must make a point to take Washington in your way. It will be indispensable I shall see you, in order to explain what is the actual state of things here. . . . I will expect you, and you must not disappoint me."

Earlier pages have shown that Calhoun's education had come to him late and had all been pressed within the limits of a very few years, and possibly this had left some defects of grammar and an occasional odd form of expression, of which he never divested himself. It is hard to overcome entirely the lack of the long drilling usual to our early years. John Quincy Adams wrote⁸³ in 1826 of recognizing that the prospectus of the intended *United States Telegraph* was written by Calhoun, from a special form of bad grammar contained in it, to which Calhoun was much addicted, and I think some few errors of this character are to be found in his writings down to the end of his life. Such faults are, however, petty ones and they did not detract in the least from that lu-

⁸¹ "Memorandum of Interview with Calhoun," March 18, 1831, in "Nullification in South Carolina," 1830-34. "American Historical Review," Vol. VI (1900-01), pp. 741-745.

⁸² See, for example, W. G. Simms, Oct. 20, 1847, and James M. Walker, August 22, 1848, to Hammond, in Library of Congress.

⁸³ "Memoirs," Vol. VII, p. 113.

city of expression, which was on the contrary one of his most marked characteristics.

Nor was he a great and omnivorous reader. Works of fiction appear to have been practically unknown to him, and late in life he was found turning over the pages of a recent novel which he said was the first book of the kind he had ever read and he was only examining it, because a lady friend had sent it to him with a request to do so.⁸⁴

He is said to have advised Wirt "to study less and trust more to genius," and to this the anonymous but presumably Southern writer adds "A *student* he certainly must have been. A great *reader* of books we know that he was not." He rather saturated himself with a few books than hurried through hundreds. Perhaps it is true, as some one wrote in 1850, that he "was not a learned man, for he never had leisure for the details of scholarship. But he was an exceedingly well-informed man. . . . He gleaned much information from talking with others." He had been a close student of Aristotle's politics, adds this writer, and often spoke of Machiavelli's "History of Florence," and there was no writer of whom he was fonder than of Burke.⁸⁵

A neighbor in Pendleton wrote⁸⁶ not very differently and must be quoted here, though it is apparent that he has laid far too great weight on a fondness for certain classical writers. This author thinks:

Mr. Calhoun was more Greek than Roman. . . . He had a profound admiration of the Grecian intellect. Plato and Aristotle, he thought, had sounded the depths of human knowledge and taught the world all the philosophy it had ever learned. "Does not the Constitution of the United States contain principles unknown to the ancients," some one asked. "No," he replied, "you will find them all in the germ in Plato's Republic." Aristotle had evidently trained his mind and formed his style.

These views, however, as to his confining himself almost

⁸⁴ "Casket of Reminiscences," by Henry S. Foote, p. 78.

⁸⁵ "A few Thoughts on the Death of John C. Calhoun" (Anonymous) in "Southern Literary Messenger," Vol. XVI, pp. 376-379. *Ibid.*, Vol. XX, pp. 321-330.

⁸⁶ Pinckney's "Calhoun," etc., "Lippincott's Magazine," Vol. LXII, p. 85.

entirely to very ancient classical writings are evidently exaggerated. He himself, when asked in 1840 for advice as to what to read, by some one probably aiming at a career in public affairs, replied:⁸⁷ "I would advise a young man with your views to make himself thoroughly acquainted with the history of the free States of antiquity and the history of England and our country, and to read the best elementary treatises on Government, including Aristotle's, which I regard as among the best. To this must be added a thorough knowledge of political economy, and of his Country in all its relations, external and internal, including its resources and the character of the people."

And Jenkins, his early biographer, also represents his habits of reading as having been far from confined to the classics. Calhoun was in the habit, says this author,⁸⁸ of either talking with his family or reading both after his 3 o'clock dinner and again after tea at eight. He was exceedingly fond of history and books of travel. "Works on government, on the rise and fall of empires, on the improvement and decline of the races of mankind and the struggles and contests of one with another, always attracted his attention." There can be little doubt that this is far nearer to the truth than are Pinckney and our anonymous writer.

Nor is it at all likely that a man of such ultra classical views as the last-named authors represent Calhoun to have been would have taken that interest in the arts and sciences of his day which he took. Silliman had known Calhoun at Yale, and thought it worth while to write him in 1818 and in 1825 in regard to the then proposed *Journal of Science* and for aid in a project at Yale College, and received encouraging and most enthusiastic replies.⁸⁹ And in 1831, when Calhoun came out before the public with his *credo* in regard to the relations of the State and Federal Governments, preparatory to Nullification, he included in his declaration of faith that he regarded "the advancement of mechanical and chemical im-

⁸⁷ Calhoun to A. D. Wallace, December 17, 1840, "Correspondence," pp. 468, 469.

⁸⁸ "Life," p. 448.

⁸⁹ "Life of Benjamin Silliman," by Geo. P. Fisher, Vol. I, pp. 288, 325.

provements in the arts with feelings little short of enthusiasm; not only as the prolific source of national and individual wealth, but as the great means of enlarging the domain of man over the material world, and thereby laying the solid foundation of a highly-improved condition of society, morally and politically.⁹⁰

It has already been shown in these pages that Calhoun was in early maturity highly religious and even strongly tinged with evangelical inclinations, but his opinions evidently went through some great change in a few years. Many of the early tendencies are entirely lacking in this later period, and probably he did not much relish an appeal made to him in 1843, which would surely have received an eager response in earlier years. R. B. Rhett, who was then in deep distress, owing to the death of a brother, wrote him on December 8, 1843, "Let me implore you, my aged friend and political Father, seek God in Christ. I have found him, and you will find him also if you seek him. Excuse me, if it is presumption in thus speaking to you."

He was brought up a Presbyterian, to which body his father and mother belonged, but he himself never joined any faith. He attended the Episcopal Church in later years, and is said⁹¹ to have aided in founding a church of that sect, but neither the Episcopal creed nor the formulated one of any religion can have appealed to him with much force, and he equally contributed to the erection of the first Unitarian Church in Washington, and is said to have been among "its warm friends and consistent adherents," as well as to have remarked that "Unitarianism was the true faith and must ultimately prevail over the world."⁹²

It is quite evident that he was far removed from formal theology, and perhaps a mind of the reasoning power of his found it impossible to compel itself to accept as verities things which that reason told him were impossible. He would probably have refused to act on the old formula, *credo quia impos-*

⁹⁰ "Works," Vol. VI, p. 92; also see the same belief again expressed in 1842, "Works," Vol. IV, p. 184.

⁹¹ Edward Trescott, in Charleston "Sunday News" of February 4, 1906.

⁹² "Autobiographical Sketch of William Winston Seaton," p. 158.

sible. Perhaps, also, expressions in Rhett's letter, quoted above, indicate that Calhoun's faith had been in some way greatly shaken.

But he was at the same time apparently a believer in the fundamental principles as to the origin and government of the world and the end of man, which form the substratum of the religious beliefs of at least Christendom. He repeatedly expressed himself, on his death-bed⁸³ as at other times, as having "an unshaken reliance upon the providence of God," and wrote his friend Sterling in 1840,⁸⁴ when speaking of the approach of old age, "I look with perfect composure on the advance of time, knowing that it is in the order of Providence and that it is our highest duty to acquiesce in his decrees. My confidence in his wisdom and goodness is without limits and has been the support which has sustained me through all the vicissitudes of life."

His religious views seem not to have been much spoken of by him, and doubt was even entertained by some what they were,⁸⁵ but he regularly attended church and took interest in the proceedings. Pinckney tells a story of how on one occasion, when he had thought Calhoun was not listening to the sermon, the latter surprised him later by going over the heads of the discussion and expressing concurrence with the "four benefits of the Christian Sabbath," which the minister had found, but added that there was another which he did "not think the clergy appreciate: I mean its social influence. The very fact of meeting together once a week, with a common object in view, uniting in the same act of worship, shaking hands with your neighbor at the church-door, asking after his family, even remarking that it is a pleasant day — these all have a wonderful power in binding men together."⁸⁶

This shows us his view of the benefits of existing religion

⁸³ Venable's speech in the Senate proceedings on Calhoun's death, in "The Death and Funeral Ceremonies of John C. Calhoun," printed by the Legislature of South Carolina, p. 52.

⁸⁴ Letter of July 1, 1840, in Collections of John Gribbel.

⁸⁵ Wm. Henry Trescott, September 2, 1850, to J. H. Hammond, in Library of Congress, asks what was Calhoun's religious theory, and adds that he had heard it "said very positively that he was a Swedenborgian."

⁸⁶ Charles Cotesworth Pinckney's "Calhoun from a Southern Standpoint," "Lippincott's Magazine," Vol. LXII, p. 85.



PORTRAIT OF MRS. THOMAS G. CLEMSON

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3

In later years, when this daughter Anna Maria had grown old enough, she seems to have always come with him until her marriage. She was ever a companion to him and confidante and probably his favorite child. The genius of politics was in her, as can be easily seen from the father's many letters to her, and a New England observer, by no means predisposed to admire, wrote that he had "rarely met a lady so skilful in political discussion as was Miss Calhoun. . . . I well remember the clearness with which she presented the Southern view of the situation, and the ingenuity with which she parried such objections as I was able to present. The fashionable ladies of the South had received the education of political thought and discussion to a degree unknown among their sisters of the North."⁹⁸

The "mess," which was the resort of so many public men of that day in Washington, was but a dreary boarding-house, and doubtless many a distinguished man was sorely tried by their shortcomings. One year Calhoun was dissatisfied with the one at which he was staying and looked about for a change, but wrote that he found he could not better himself. He stayed at many, doubtless then well-known to Washingtonians but now sunk into oblivion — Dowson's; Miss Cocran's; Mrs. Page's on the Avenue, where in 1839-40 he was "alone of the Southern men"; on the hill at Mrs. Houston's, "with an Alabama mess"; at Hill's, where, he wrote, he was "very comfortably quartered." While in Tyler's Cabinet, he stayed at the new U. S. Hotel, on Pennsylvania Avenue between 3d and 4th Streets.

At the messes a dinner was occasionally given by the mess itself or some individual member of it. John Quincy Adams dined with Calhoun at Dowson's in 1834, and in February, 1835, Calhoun's mess gave a dinner to Harriet Martineau. But, in spite of such distractions now and then, they must have been dull to a degree and with the jarring interests they contained often scenes of differences and quarrels. They had to be endured by many as a necessity of political life and distinction.⁹⁹

⁹⁸ Josiah Quincy's "Figures of the Past," p. 264.

⁹⁹ "Correspondence," pp. 109, 257, 269, 278, 279, 333, 334, 369, 378, 387.

In the Senate, Calhoun was regular in attendance and was always listened to, nor did he often take the floor, unless he had something of moment to say or intended to occupy but a few minutes. In the House, he once ¹⁰⁰ apologized for speaking in an emergency, without the mature meditation and arrangement of thought he deemed due.

This tendency and the generally remarkable clearness of what he said, had of course their effect, and Senator Bradbury of Maine wrote ¹⁰¹ of him that "he never spoke without commanding the closest attention. Without any attempt at oratorical display, he skilfully took his position and then reasoned so closely, rapidly and forcibly as to enchain the attention of his hearers. He left the impression of immense power. . . . On Private Bill Day, he uniformly came to the Senate and remained during its session to aid in guarding the public treasury against the fictitious claims that then, as now, were pressed upon the attention of Congress." And Oliver Dyer, who was an Abolitionist and writes that he was so much against Calhoun as to think he looked like a devil the first time he saw him, tells us ¹⁰² of his impression when he heard the Southern leader in conflict with Benton in regard to the petition against slavery presented by the latter from the inhabitants of New Mexico.

Benton had been indulging in some of his occasional violence and the Senate was rather disorderly, but Calhoun's rising "at once brought the previously scattered and indifferent attention of the Senate to a focus." Benton's violence was treated by Calhoun almost with indifference, and the result upon Dyer was that at the close of the discussion his "personal feelings were in his [Calhoun's] favor." To this Jefferson Davis adds the details that "as a Senator, he was a model of courtesy. He politely listened to each one who spoke, neither reading nor writing when in his seat, and as long as his health permitted was punctual and constant in his

391, 436, 501, 626, 627, 644, 715. John Quincy Adams's *Memoirs*, Vol. IX, pp. 105, 118. Mrs. Smith's "First Forty Years of Washington Society," p. 365.

¹⁰⁰ Speech on Tariff Bill, April 6, 1816. "Works," Vol. III, p. 164.

¹⁰¹ Letter in the "Gulf States Historical Magazine," Vol. I, p. 284.

¹⁰² "Great Senators," etc., pp. 149-151.

attendance. His correspondence was conducted by rising before dawn and writing before breakfast." ¹⁰³

Even Harriet Martineau, while expressing the opinion that he lived so apart as to have lost all power of communicating with his fellow-men, to which the sapient lady adds that "of course, a mind like this can have little influence in the Senate," except from the memory of what he had done in past days:—even this observer, standing at the other end of the diameter from Calhoun in most things, finds much to admire in him and in his conduct in the Senate. She was a witness of one of Benton's attacks upon him and tells her admiration of the quiet way in which he triumphed over his opponent. "It was great," she adds.¹⁰⁴ As to the question of his influence in the Senate, there are too many opinions to the contrary for Harriet Martineau's to carry weight, and any one wanting further evidence need only turn to the Debates.

Many of his peculiarities as an orator have already appeared, but the following may also be quoted. An author,¹⁰⁵ who heard one of the many disputes between Clay and Calhoun, describes the latter as

... a somewhat tall, slender-built, ghostly-looking man, about 50 years of age, erect and earnest, with an eye like a hawk's, and hair sticking up "like quills upon the fretful porcupine." His voice was harsh, his gestures stiff and like the motions of a pump-handle. There was no ease, flexibility, grace, or charm in his manner; yet there was something in his physiognomy and bearing,—his brilliant, spectral eyes, his colorless cheek, blanched with thought, and his compressed lips,—that riveted your attention as with hooks of steel. As his words struggled for a moment in his throat and then rushed out with tumultuous rapidity and vehemence, you were impressed with his apparent frankness, earnestness, and sincerity. As you listened to his plausible statements, it seemed incredible that this could be the great political sophist of America—the hair-splitting logician and arch-nullifier, John C. Calhoun."

¹⁰³ "The Life and Character of Calhoun," by Jefferson Davis, Vol. CXLV, "North American Review" (1887), pp. 246-260: especially 258, 259.

¹⁰⁴ "Retrospect of Foreign Travel," Vol. I, pp. 243, 244, 246.

¹⁰⁵ William Mathews, "Oratory and Orators," pp. 312, 313.

There were certainly no oratorical elegancies in Calhoun's manner on his legs, but most witnesses were far more struck than was Mathews with his deep earnestness and sincerity, the flashing of his eyes and the cogent reasoning that fairly poured from his lips under excitement. An Abbeville author adds ¹⁰⁶ that "in discussing serious questions, he was usually calm though impressive; and when he first rose to speak, he almost always bent forward as if from diffidence. But when fully aroused, he became stern and erect in his bearing, his voice rang loud and shrill, and his eyes glistened like coals of fire."

He rarely made long speeches. They were generally too full of matter and too devoid of the padding of personalities to be long in delivery. Probably, nearly all orators *par excellence* fill up the interstices with amusing or pungent personalities, and some can use them, as Webster did, as a cogent if unfelt means of conviction, but this was not often the case with Calhoun. He was too earnest to digress in this way on ordinary occasions.

He was fond of observing on the effect of his speeches and in numbers of instances wrote his daughter as to this point. "Many of my friends," he told her on March 20, 1842, of his speech on Clay's recent resolutions, "think it the most effective I ever delivered. It was, for me, unusually long. I was two hours and a half in the delivery." And he often added, as has been shown in earlier pages, an account of the number of copies sold.

The endless struggle of political life, and the frequent drudgery enforced on him by it, often wearied Calhoun. He wrote his daughter on February 17, 1841, of having been very busy the last three weeks. He had delivered three speeches, all of them requiring much preparation, and then had had to write them out from imperfect notes. Now, he went on, arrears of correspondence must be attended to, and when that is done "I shall have to take up the odious business of directing, franking and sending out speeches and documents, which will take two or three days." In 1836 and 1838, he

¹⁰⁶ "Calhoun as an Orator and Statesman," by Walter L. Miller, of the bar in Abbeville, "American Law Review," Vol. XXXIII, p. 542.

talked of retiring and at least thought he was anxious to do so, but perhaps this was but an impression of the moment and at about the same time he is to be found writing Hammond that "it is in vain to think of getting clear of politics."¹⁰⁷

Numbers of his opinions in regard to public matters appear in other pages, but the following should be mentioned here. He was far from a believer in the doctrines of progressive democracy,¹⁰⁸ which have made such strides since his day, and by no means thought that the unchecked voice of a mere majority has an inherent right to control, and especially not the majority of a vast population scattered over an enormous and diversified territory. To him, beyond all doubt and without regard to any question of State Rights or slavery, the suggestion of a nation-wide Presidential primary, or that a majority vote of our one hundred million people should have the power to recall a judicial decision or to perform any governmental act, would have seemed political madness, sure to result in the most haphazard results and mere blind tyranny.

He would probably have asked in reply for an instance in our history in which a popular majority in the United States had ever acted politically as one organism. And when none could be cited he would perhaps have urged the doctrine of "concurrent majorities."¹⁰⁹ This was in reality the same thing as that which other conservatives would have called the established and inherited system, the written constitution, with its many checks and balances. Calhoun's belief was in organized democracy, with the rule of the majority controlling only within rather small regions such as our States. He denied, too, that the result of a popular election was controlling on

¹⁰⁷ Duff Green, November 4, 1836, to Crallé in Duff Green Letters in Library of Congress. Correspondence, 394, 395.

¹⁰⁸ See, for example, Jenkins's "Life," pp. 452, 453, and the same tendency appears from several speeches quoted in the text.

¹⁰⁹ This doctrine has been much criticised but, when the odium attached is forgotten by rightly understanding it, there is no reason for vituperation, and perhaps it will have better recognition later. As distinguished a man as Andrew D. White recommends it (though not *eo nomine*) for our cities. In our municipalities, he writes, "a proper compromise would seem to be the election of a mayor or alderman by the whole body of the people and the election by taxpayers of a 'board of control' or 'board of finance,' without whose consent no franchise should be granted, and no tax levied." "Seven Great Statesmen" (Essay on Turgot), p. 226.

Congress, and in 1846 opposed a movement in South Carolina for referring to popular vote the choice of presidential electors, instead of as theretofore appointing them by the Legislature. This latter opinion was, however, largely founded on the belief that adroit politicians would soon entirely control the matter, and he expressly wrote that he would have favored the movement, if he believed that it would actually secure a fairer expression of popular opinion. He thought that the wiles of politicians had cost him the presidency in 1844-45, and was often eloquent against the evils of what he called "caucus rule."¹¹⁰

He objected, too, in 1838, to the name *democrat* as applied to his party, on the ground that it usually meant the absolute numerical majority.¹¹¹ And in later life, when slavery had assumed such large proportions in his mind, Ingersoll wrote, after a conversation with him about Texas, that "he talked well, but ended as usual if not invariably by arguing the absolute necessity of slavery to balance democracy."¹¹²

Probably, the following also belongs in this same connection. We are told that though he was very free and unreserved with all classes and quite devoid of aristocratic exclusiveness, yet he "did not mix enough with the people. . . . He was not thrown enough with them. He himself tells us that he was almost a stranger five miles away from his home." And the author quoted goes on that he was in his study or mingling with the aristocratic element which repaired to the Pendelton region in the summer, and except the few farmers near by, the masses of the people even of his own State knew but little of him. He seems to have spent a great deal of time in solitary thought.¹¹³

. Again, one who made his acquaintance in rather early days writes that during a long discourse on public affairs, Calhoun said to him "in a subdued tone of esoteric confidence, such as an ancient augur might have used to a neophyte in his profes-

¹¹⁰ "Works," Vol. VI, pp. 254-272.

¹¹¹ "Correspondence," pp. 399, 400.

¹¹² Meigs's "Life of C. J. Ingersoll," pp. 266, 267.

¹¹³ Miller's "Calhoun as a Lawyer," etc., in "Green Bag," Vol. XI, p. 334. Miller cites Jefferson Davis as to Calhoun's habit of solitary thought, but I have not found this.

sion . . . 'From what I have said to you, I think you will see that the interests of the *gentlemen* of the North and of the South are identical.' . . . Gentlemen," so Quincy understood him to mean, "were the rulers of America, after all."¹¹⁴

With these opinions entertained by him, it need not surprise us that, when a prominent candidate for the presidency, he was charged with being opposed to free suffrage,¹¹⁵ and with having thanked God that a property qualification existed in South Carolina.¹¹⁶ The charges were quite false, but perhaps a kernel of truth lay back of them, and he was not in sympathy with the general democratic trend of the country. Individualism, he did appreciate, and did not think that laws, and ever more laws, are required from the wise to direct the efforts of the millions. Let the productive powers of the country, he said in 1836, "have the freest possible play. Leave the resources of individuals under their own direction, to be employed in advancing their own and their country's wealth and prosperity, with the extraction of the least amount required for the expenditure of the Government; and draw off not a single laborer from his present productive pursuits to the unproductive employment of the Government, excepting such as the public service may render indispensable."¹¹⁷

The following is also worthy of mention and seems perhaps to have some relation to what has just been considered. Strangely enough, too, the same opinion held by Calhoun among others about a century ago is still advanced by some of the technically inclined or perhaps rather the ultra scientific students of such subjects, in spite of the daily and hourly action of our country to the contrary for a century, as well as of other countries for shorter periods.

During the War of 1812, he was decidedly inclined to deny the right of expatriation and to hold that allegiance was perpetual.¹¹⁸ He inclined again in 1824 to maintain the same

¹¹⁴ "Figures of the Past," by Josiah Quincy, pp. 263, 264.

¹¹⁵ "The (New York) Peoples' Democratic Guide," for August, 1842. See *post*, pp. 266-267.

¹¹⁶ The Charleston "Mercury," October 15, 1842, referring to an article in the New York "Morning Post." See *post*, p. 267.

¹¹⁷ Speech of May 28, 1836, in "Works," Vol. II, pp. 534-569.

¹¹⁸ Annals of Congress, Thirteenth Congress, Second Session, 1813-14,

opinion in the Cabinet, and his general view received some support from John Quincy Adams, though the latter thought "we had foreclosed this argument against ourselves by the oath renouncing foreign allegiance."¹¹⁹

But the reader must not blame Calhoun for holding in his day this now so strange view. Others in plenty were with him, and Story in the United States Supreme Court decided¹²⁰ in 1830 that under the common law allegiance had been immutable and that such was still the case. The growth of human belief is well illustrated in these opinions and decision, which were in the very teeth of the daily and hourly action of our Executive. A new belief seems often to work its way slowly up against the wind, if the expression be permissible, much as storms do so suddenly in the world of air.

The motives that lead to human action are difficult to fathom and far more complex than some realize. Often, a man honestly deceives even himself in regard to the main causes guiding him. Probably, Calhoun did this at times, but even during the fierce storms of his career few doubted — and probably in the ultimate judgment of history fewer yet will doubt — that his politics were on a high plane and that he aimed to do his duty by the lights he had within him. At times, perhaps cut by the virulent abuse poured out upon him, he referred to his motives, as he saw them, and in 1838, when vehemently criticized for supporting Van Buren in regard to the sub-Treasury, he wrote a college chum of youth a letter upon the subject, which must be quoted. Writing to Micah Sterling, he says:

I may say to an old friend, without the imputation of vanity, that I have never done a public act, in which I did not follow the dictates of my judgment and conscience, and have never been impelled in the performance of my official duties by a single motive, but what I would be willing that all the world should see

Vol. I, pp. 1094, 1095, 1097-1099. A few days later (*ibid.*, pp. 1227, 1228), his views seem perhaps less clear, but Adams's note of Calhoun's Cabinet opinion seems conclusive.

¹¹⁹ "Memoirs," Vol. VI, pp. 381, 385.

¹²⁰ *Shanks v. Dupont*, 3 Peters, pp. 242, 246. The History of this matter has very recently been considered in *Mackenzie v. Hare*, 239 U. S., pp. 308, 309.

the working of my heart. . . . Yet, although I have done the most unpopular acts, of which I could not but see the consequences, even in performing them, I have been charged with motives of popularity, and ambition. All this I see with perfect composure. My object is *to do my duty*, and to care but little for gratitude or popularity.¹²¹

Many other letters and speeches to this same effect could be quoted, and perhaps some would even say that he professed too much, but there is in reality no reason to doubt the accuracy in the main of his judgment of himself. His course during many years of public life bears it out, and his long-time associate and often opponent, Webster, with whom he had broken so many lances in the eager clash of debate, said of him that "he had the indispensable basis of all high character; and that was unspotted integrity and unimpeached honor. If he had aspirations, they were high, and honorable and noble. There was nothing grovelling, or low, or meanly selfish, that came near the head or heart of Mr. Calhoun. Firm in his purpose, perfectly patriotic and honest, as I am sure he was, in the principles that he espoused, and in the measures that he defended, aside from that large regard for the species of distinction that conducted him to eminent stations for the benefit of the republic, I do not believe he had a selfish motive or selfish feeling."¹²²

Much has appeared in earlier pages in regard to Calhoun's methods in his political life. To these it must be added that, — somewhat like Benton, who wrote once of leaving to "the hands" his reelection to the Senate¹²³ — Calhoun at least thought himself indifferent as to the same question in 1841, and wrote¹²⁴ that he had had no agency in the matter and that "the Legislature knew not whether I would accept or not. Had they thought proper to dispense with my services,

¹²¹ Letter of July 26, 1838, in the Collection of John Gribbel, Esq. There can, in my opinion, be no doubt that Nullification was one of the "unpopular acts," to which he here referred, yet it has been seen that many asserted that his object was to *gain* the Presidency.

¹²² Remarks in the Senate on Calhoun's Death, "Webster's Works" (edition 1853), Vol. V, p. 370.

¹²³ Meigs's "Benton," pp. 404, 405.

¹²⁴ Letter of February 18, 1841, to Micah Sterling in Collections of John Gribbel.

I would have been glad to retire." Probably, this action on his part resulted chiefly from the absolute certainty of being chosen, and had there been doubt, he would hardly have left the matter to the hands any more than did Benton in later years, when defeat stared him in the face.

Benton thought in 1845, when he was opposing the annexation of Texas, and the opposition to him in Missouri and throughout the country was rising to great proportions, that Calhoun as Secretary of State was the leader in the movement against him, and he intimated that "300" newspapers in the pay of the Department of State had been set on to attack him, and the method pointed out from headquarters. Calhoun denied parts of the charge, but of course it may well be that there was a substratum of truth in it,¹²⁵ nor will any one blame the Secretary for taking a course which he thought important in a matter of vital interest to the country.

He was very fond of "acting on the defensive" in politics under some circumstances and thought it often a great advantage. But this was apparently only when some public question was still nebulous and was slowly taking shape. Such was for instance the course which he was following and wanted to continue to follow at the time when McDuffie's speech of May 19, 1831, in Charleston forced him to declare himself as to Nullification,¹²⁶ and other instances of the same preference have been shown.

When, however, the battle was on, few could be more determined in forcing the fighting than was Calhoun. Danger is always best met on the frontier, was one of his favorite sayings, and in this saying may be found the belief, which explains clearly enough his course on some issues for which he has always been severely criticized.

It was not his custom to crush his opponents to the ground needlessly, and his influence, for example, led the overwhelmingly triumphant party of Nullifiers in South Carolina to bury their differences with the opposing faction and thus, as he ever insisted, unite the State and present a solid front to aboli-

¹²⁵ Congressional Globe, Twenty-ninth Congress, Second Session, p. 497.

¹²⁶ *Ante*, Vol. I, pp. 432, 433.

tion.¹²⁷ He made agreements, too, in practical politics, and, when Legaré, who had in his opinion been elected to the House as a friend to Van Buren's administration, opposed the leading measure of the Sub-Treasury, he agreed with Poinsett that his followers in that district would support any sound and competent person whom Poinsett and his friends should select, without regard to prior differences in the State, provided he was in favor of the Sub-Treasury.¹²⁸

In his own State, he at times carefully kept out of factional fights, and even Hammond tried quite in vain (though most persistently) to induce or force his aid in securing the governorship in 1841, but he did of course often take a hand in other instances, as where he thought some clash of ambitions and consequent contest imminent, or expected some attack upon himself in a local district.¹²⁹ Indeed he doubtless, by himself or agents, had an eye in general to the course of politics in South Carolina, and it was often charged that he entirely ruled his State.

On this point, Perry (a political opponent) wrote that he "was absolute in South Carolina and all who sought promotion in the State had to follow him and swear by him. He thought for the State and crushed out all independence of thought in those below him." And to this the same writer adds that both Preston and Miller, when at different times his associates in the Senate, complained that he seemed to think they should implicitly follow his lead, Miller withdrew on this account, according to Perry.¹³⁰

It may be confidently asserted that, whether or not Calhoun absolutely ruled the politics of South Carolina, he did not do so by the means employed by what our modern political dictionary calls a boss. He was no patronage-monger and did not aim to build up a machine. The noxious and burrowing ways of politicians proper were quite unknown and unprac-

¹²⁷ Letter of October 26, 1838; "Correspondence," p. 407, 408. "Autobiography," p. 49.

¹²⁸ Letter of October 26, 1838, as above.

¹²⁹ Hammond Papers in Library of Congress, *passim*, letters from about April, 1840, to June, 1842; and see some letters to Calhoun and his answers in "Calhoun Correspondence," pp. 326, 327, 464.

¹³⁰ "Reminiscences," pp. 49, 61.

tised by him. His control, however strong it may perhaps have been, was secured by methods of a high order, by appeals to the intellect and reason of citizens, coupled with their appreciation of his great services during many years.

Calhoun's alleged,—and doubtless in part actual,—tendency to rule was of course the origin of the oft-repeated witticism: "When Calhoun took snuff, South Carolina sneezed,"¹⁸¹ but all these stories and charges were probably largely scraps of self-consolatory abuse issuing from the lips of enemies or of differing friends, who were smarting under the sting of defeat. Strong, self-willed men always want their own way and are likely in general to get it.

Calhoun was not unlike them, but he met with rebuffs occasionally. Thus, in 1838, at the time of the contest as to the Sub-Treasury, when many leading men in South Carolina broke away from him, Waddy Thompson ran for re-election to Congress on the opposing ticket and, though Calhoun, according to Perry,¹⁸² personally took the stump and canvassed actively for the candidate he had had nominated against Thompson, the latter was elected by a very large majority. Other instances have been mentioned in earlier pages, in which leading men in South Carolina refused to follow his lead.

Quarrels and the breaking asunder of relations of long standing followed at times on these differences, but they were much like such cases with all men, and one will be enough to go into. In 1846, when Calhoun had opposed the War with Mexico and doubtless felt how much alone he stood in the South on this vital issue, he and his relative and supporter for many years, Francis W. Pickens, quarrelled and were for a time entirely apart.

It appears that their relations had already been seriously strained. An article had appeared in January, 1846, in the *Southern Quarterly Review*¹⁸³ criticizing in decided terms Calhoun's Address to the Memphis Convention and quoting with approval a speech made by Pickens in Congress in 1840

¹⁸¹ "Calhoun as a Lawyer," etc., by Walter L. Miller, Vol. XI, "Green Bag," p. 271. The Charleston "Mercury," June 20, 1846.

¹⁸² "Reminiscences," pp. 297, 298.

¹⁸³ Pp. 243-72: see especially pp. 266-71.

on internal improvements, which expressed views very different from those of Calhoun's address. Calhoun heard in some way that this article had been written at Pickens's request, and Pickens learned that Calhoun knew of his part in the publication. He then wrote a letter to Calhoun "to explain away his share, but acknowledging he had reviewed and corrected the article."

Calhoun at once felt that it was time to close their correspondence and did not answer this letter at all. Not very long afterwards, on June 1, 1846, a public meeting was held in Edgefield (Pickens's home), at which Pickens was present for at least a time and offered resolutions said to be decidedly in favor of the war, and was reported to have "strongly assailed" Calhoun in his speech.¹⁸⁴

Somewhat later, when passing through Washington, Pickens called on Calhoun, but the latter received him coldly and did not return the visit, and Pickens was told by friends of Calhoun that it would not be returned until he explained his course. Pickens then made a disavowal to McDuffie and others and authorized them to let this be known to Calhoun. Thereupon, the call was returned and Pickens repeated his disavowal in the presence of Holmes of the South Carolina delegation. With the terms of this, Calhoun expressed himself to friends as satisfied, but regretted that the denial had not been made earlier and thought it left "an ugly question to be settled between him [Pickens] and others on whose authority the charges were made." Nor did Calhoun think it possible to "restore him to his former position in the State,"—in which words may perhaps be found a sentence of excommunication.¹⁸⁵

¹⁸⁴ Charleston "Mercury," June 17, 1846.

¹⁸⁵ On the quarrel with Pickens, see Calhoun's letters of June 11, 1846, to Mrs. Clemson: July 26, 1846, to J. E. Calhoun; August 8, 1846, to Thomas G. Clemson: October 29, 1846, to J. E. Calhoun; and letter of Francis W. Pickens, December 13, 1846, to Calhoun: "Correspondence," pp. 696, 698, 699, 704, 705, 708, 1099-1102. Pickens's oral explanation was made as early as August and he wrote in explanation in the middle of December, thus showing perhaps his sense of the seriousness of the matter to himself, but the letter is far from truckling. The gist of what he said and wrote was that he was very ill at the time of the Edgefield meeting and was only present for a short time upon the urgency of friends. He left soon after presenting the resolutions and making a speech, but

Quarrels and such outbursts of anger and abuse as are seen in this and some instances treated in other parts of this book, did not last forever with Calhoun. He could forgive and forget, and possibly this was the result in the end with Pickens, even in the few remaining years of Calhoun's life.

With Jackson, it has been seen, he had plenty of causes of difference, and that fire and fury at one time fairly boiled over; but even in this instance, with a man who had had a large share in blasting the great ambition of his life, Calhoun seems to have come to appreciate the qualities of his enemy. A young admirer, under the spur of the intense charm of Calhoun's narration, once blurted out the question what kind of a man Jackson was and was then appalled at his indiscretion. But no shadow of displeasure crossed Calhoun's face and he looked benignantly at his inquirer, as he answered, "General Jackson was a great man." The narrator adds that "the surpassingly beautiful expression of Calhoun's luminous eye and the sweet, gentle tone of his voice, as he thus answered my question, are now present to me," forty years afterwards.¹³⁶

In the broader field of statesmanship proper, he was very far from being one of those theorists who ever insist on the full attainment of everything that is desirable as to a public matter. He well understood that this is impossible and that it is often the highest wisdom to yield a large part of what is desired in order to secure what is possible to be secured under the circumstances.¹³⁷

There has been much discussion whether he led or followed the resolutions and what he said were only designed to aid in securing volunteers for the army, and he explicitly denied any reference to Calhoun. He thought the stories were gotten up by rivals to injure him.

¹³⁶ Dyer's "Great Senators," etc., pp. 170, 171. Perhaps Jackson was about ready in his last days to forgive Calhoun, and it will appear later that Andrew J. Donelson proposed to bring about a reconciliation between them, but Van Buren (Vol. II of MS. "Autobiography" in Library of Congress) writes that Jackson's "standing prophecy to me in regard to [Clay and Calhoun] was that the former would die a sot and the latter in a mad-house." Rufus King shared the opinion as to Calhoun, basing himself on "the peculiar twinkle" of his eye under excitement. Such judgments show the folly of conclusions of this kind, inspired by partisan hatred.

¹³⁷ "Autobiography," p. 52, *et seq.*

in South Carolina. In his earliest days he probably led and was at least in the van. But, as the South was slowly driven by the growth of circumstances away from its national longings, there was quite a period during which he and they were far apart, he holding firmly to his earlier beliefs, while his home region drifted more and more away from these and took up the then rather nebulous doctrines of State rights. They did not want to increase but to limit the powers of the Federal Government, which they felt were to be wielded by other hands than theirs. In this growth, it was long before Calhoun even followed. At length, however, he did so, and from about that time on through his career he was the great leader. He crystallized and expounded State rights, and after about 1828 he was undoubtedly the one man to whom his people looked with trust to defend them and to formulate the grounds on which they might be able to protect themselves from the ever growing sentiment against their social system with its slavery. Probably, few men in history have for so long a time remained the almost universally recognized leader as did Calhoun in this later stage of his career.

Of course his political management was an object of vituperation to some, and nowhere does this appear more strongly than in the correspondence of Hammond and of some of his friends. Their grumblings are beyond doubt often the sputtering of disappointed ambition, and it would be an immense mistake to accept them at par. Still, they should be noticed here as a photograph of the times, taken behind the scenes. One E. W. Johnston wrote Hammond on February 28, 1836, "I have been, for the last three years, steadily cursing Calhoun for precisely this thing [stealing the ideas of others]. We work on here and make a doctrine popular. Of a sudden, he comes forward, seizes it, spoils it with some vast nonsensical supplement of his own and ruins the impression which might have been made on the country by stitching the whole affair to his political kite-tail." To much the same general effect, W. G. Simms wrote Hammond on April 2, 1847, when Calhoun was favoring a Southern Convention, that it was but what *they* had been preaching for as much as twenty years.

Hammond wrote angrily in his "Diary" on October 12, 1841, during his contest for the office of Governor, of not having received a reply from Calhoun to a letter informing him of "the intrigue to start opposition to me. He will risk nothing for my sake. No politician will," and again on June 13, 1842, adds that Calhoun had not found him "tractable enough. I have always had my own opinions and maintained them and this he does not like. He cannot bear contradiction. He thinks any difference of opinion from him proves a man hostile, and is ready to open his batteries on him. Hence, again, his want of able friends. He drives off every man who has ability to think for himself." And on another occasion Hammond wrote of Calhoun "he has no soul. Never recognizes services," and added, in one instance that he did not believe what Calhoun had told him.¹³⁸

The complaint was frequent that he was ever "buying over enemies, and never looks after friends," or, as Hammond puts it in another letter: "He marches and countermarches all who follow him until after having broken from the bulk of his followers he breaks down his friends one by one and expends them in breaking down his late associates — so all ends in ruin."¹³⁹ To much the same effect Beverley Tucker wrote Hammond on March 13, 1847, that Calhoun was "certainly an extraordinary man. A man of wonderful powers of mind and profound political knowledge, but no statesman. A man of infinite address in his intercourse with individuals, but utterly without tact, when he comes to deal with men in masses. . . . He always finds out the most unpopular side of every question; and devoted to consistency, shows it by always setting his face *against* the wind, let it blow from what quarter it may. How he might manage the affairs of a great nation I do not know, but he certainly is the most unskillful leader of a party that ever wielded a truncheon."

When, later, the bitterness of political disappointment had

¹³⁸ Hammond, May 13, 1843, to M. C. M. Hammond, and June 15, 1847, to W. G. Simms, in Library of Congress. The other authorities are plainly enough indicated in the text.

¹³⁹ Hammond, July 9, 1849, to W. G. Simms; and "Diary" *sub* March 16, 1845.

been softened by time and by Calhoun's death, Hammond wrote in his Diary as follows:—"Pre-eminent as he was intellectually above all the men of this age as I believe, he was so wanting in judgment in the managing of men, was so unyielding and unpersuasive, that he never could consolidate sufficient power to accomplish anything great, of himself and [in] due season. He was a wall of granite in resisting and the good he has done in preventing evil is incalculable. But after all evil has become intolerable and the jealousy of him—his towering genius and uncompromising temper, has had much effect in preventing the South from uniting to resist it." And Rhett said of him, after his death, that he was a great statesman but not a great party leader: "he understood principles, . . . but he did not understand how best to control and use . . . man."¹⁴⁰

All these criticisms, it is plain to-day, left entirely out of sight the chief difficulty in the way of the South as well as of whoever might lead her: The problem was to defend and preserve a system, of very great antiquity, indeed, but which had lost its hold on the world. Slavery, as we see now, was plainly doomed in the union,¹⁴¹ and they were ever struggling against influences, slow perhaps but as over-whelming and irresistible as a glacier. If the South wanted to preserve its system, the fire-eaters were right that they should have separated from the Union years before they did so. Their power, in a relative sense, as compared with the North, was daily and rapidly diminishing, and the chances of success therefore ever floating away from them; but the trouble here was that they could not unite their people for such a move.¹⁴²

¹⁴⁰ Extract from Hammond's Diary in 1850, shown me by Mr. Gaillard Hunt of the Library of Congress. R. B. Rhett in "Oration on Calhoun before the Legislature of South Carolina," printed in "The Death," etc., of Calhoun (printed by order of the South Carolina Legislature) p. 162.

¹⁴¹ And doubtless out of it also, if less quickly.

¹⁴² Many saw all this. In a remarkable and very Hammond-like speech, among the Hammond Papers in the Library of Congress and endorsed in pencil, "Calhoun dinner, about 1845," the orator refers to the great difficulties before the South and then goes on that in this "condition of our affairs, you must naturally inquire what are we to do? What is the remedy? Yes, the remedy. That is the question. And difficult indeed is it to answer. Were the South united, I could name it in a single word—the true—the only remedy—the remedy to which, shape it as

The love of the Union throughout the South was for many years far too strong for separation to be carried through, and many of the great leaders, as well as the rank and file, set their backs firmly against any such effort. Calhoun was by no means alone in this tendency. If it was mainly his power which crushed the Bluffton movement, the other rumblings of the time never reached a head, while even the Nashville Convention, only obtained after so many years of agitation, could do little. It may safely be said that, if Hammond and the rest of Calhoun's critics had been the leaders, they could not have accomplished one atom more of result than he did.

Calhoun has, as a result of the Civil War, been looked upon by many as a malign person, whose great object was to cleave the United States asunder. Not many historical beliefs are further removed from the truth. In his early years, he was beyond doubt devoted to the Union and enthusiastic in regard to the future it promised to the country;¹⁴³ and in 1820, after an illness, he wrote in an entirely private letter to a friend: "Since my early youth, I have had but one strong preponderating feeling, and that has been for the prosperity and duration of our Republick."¹⁴⁴

In his later career, too, and down to the day of his death, like sentiments, if with less glow of youthful exuberance, are to be found coming from him, and his actions in several instances have been shown to have been the same. When he felt compelled in the interest of his home and of those nearest to him on earth, to become connected so closely with measures of defence for them, which threatened disunion, he was still anxious to save the Union. Nullification was adopted by him only after years of unavailing remonstrance and petition, and because he regarded it as the one means left, short of dis-

you will, we must come at last. But the South is not united. Our leaders have quarrelled and some of them have betrayed their country," etc. I am unable to make out when this speech was delivered, unless it was at the nominally private dinner given to Calhoun at the Charleston Hotel, March 15, 1845. See *post*, p. 351.

¹⁴³ See, for example, his speech of February 4, 1817, on the bonus bill, in *Annals of Congress*, Fourteenth Congress, Second Session, 1816-17, pp. 851-858.

¹⁴⁴ Letter of July 24, 1820, to Micah Sterling, in *Collections of John Gribbel*.

union, by which he could save his people from oppression. And there can be no question but that he was the power which in several later instances stopped the hot-heads from extreme courses.

In his very latest years, also, when he had undoubtedly come to have little idea that the Union could be saved, this conclusion was a great sorrow to him, and to the very end he kept hoping against hope that some means of compromise, "safe to the South" might be found. Almost on his death-bed, in an entirely private letter of February 28, 1850,¹⁴⁵ to a young friend, he wrote:

But I must close. This may be the last of my communications to you. I feel myself sinking under the wasting power of disease. My end is probably near — perhaps very near. Before I reach it, I have but one serious wish to gratify: it is to see my country quieted under some arrangement — alas! I know not what — that will be satisfactory to all and safe to the South.

Other letters and speeches of his near the day of his death are better known, but are none so plainly the outpouring of his soul as is this absolutely private expression; but the following should be added. John Randolph Tucker is said to have called on Calhoun in March, 1850, and to have heard him reply when asked what he saw in the future of the country "Dark forebodings, and I should die happy if I could see the Union preserved."¹⁴⁶

George W. Julian, who knew Calhoun, but was utterly opposed to him, wrote that "politically, he has been singularly misunderstood. He was not, as has been generally thought, a dis-unionist. He was the champion of State Sovereignty,

¹⁴⁵ Letter to "A. J. B.," a young man attending law-school, printed in the (Washington) "Daily Union," April 25, 1850.

¹⁴⁶ "Principles, Utterances and Acts of John C. Calhoun, promotive of the True Union of the States," by Hon. J. L. M. Curry, in the "University of Chicago Record," Vol. III, pp. 101-105. Calhoun himself said in 1848 in his speech on Oregon ("Works," Vol. IV, p. 531): "If I shall have any place in the memory of posterity, it will be in consequence of my deep attachment to it [the Union], and our federal system of Government, and earnest and honest efforts to uphold and perpetuate them."

but he believed that this was the sure basis and bond of the union."¹⁴⁷

But all this does not mean that Calhoun wanted the Union, without regard to what it might be perverted to mean. He felt that the growing Nationalism carried with it infinite dangers to his home-region, and he wanted the "arrangement" that might be made to be "satisfactory to all and *safe to the South.*" He wanted the Union substantially as it came from the fathers, and that the rights of the minority should be protected from dangers incident to the exercise by the General Government of powers never meant to be conferred by the creating States, and which many of them would certainly have refused to confer, had it been dreamed that such powers would ever be assumed to exist.

By at least 1844 Calhoun was evidently very fearful that the Union could not go on much longer, and wrote that the two sections were "coming daily, more and more, into deadly conflict."¹⁴⁸ He felt at the same time, as he wrote in 1844, that South Carolina thought, that it was "a great mistake with many, both North and West, [to suppose] that South Carolina is hostile to the Union as it came from the hands of its framers. But she believes the Union may be destroyed as well by consolidation as by dissolution, and that of the two there is much more danger of the former than the latter."¹⁴⁹ It was much this same tendency of his mind that led him to complain to Dyer that the reporters would put in his mouth the word "Nation," instead of "Union," which latter he probably always used and said was the correct one.¹⁵⁰

Calhoun believed, with thousands of others of about his time of life, that the West and Northwest were the natural allies of the South,¹⁵¹ and it has been seen that he frequently sought to bring about a closer union of his home-region with those quickly growing sections. Perhaps he was, as has been

¹⁴⁷ Geo. W. Julian's "Political Recollections," p. 87.

¹⁴⁸ "Correspondence," p. 636; and see pp. 593, 629, 630, 635.

¹⁴⁹ Letter partly quoted in "Article by G. P. Thruston" in "Autobiographic Collections and Historic MSS.," "The Sewanee Review," Vol. X (January, 1902), p. 33; see also "Correspondence," pp. 624, 625.

¹⁵⁰ Dyer's "Great Senators," etc., p. 153.

¹⁵¹ John Wentworth's "Congressional Reminiscences," p. 20.

suggested,¹⁵² partly led to this view by that dislike of the free negro which was so conspicuous a feature in the West of his day, but the great river system of our country presented strong reasons for such a view in the days before railroads. Modern transportation methods were, however, even in the latter part of his life, making an entire change in this respect.

In matters relating to slavery he often had the almost magical vision of a seer. Many of these instances appear in other parts of this Life, but two of them must be recalled here. Not only did he see as far back as 1820 that the agitation of slavery would split the Union, and write in 1838 that it would in the end "divide [the Union], or drench the country in blood, if not arrested," but he penetrated far deeper into the mysteries of the future. In 1836 he predicted in outline,—and in 1849 most distinctly,—that event, which the world has since seen, that in case of abolition by the North, the franchise would be conferred on the slaves as a means of securing the political control of the South.¹⁵³ And if he did not add that this measure would ere long fail of its purpose, owing to the infinite superiority of the white race, he did suggest that result which has already begun to appear, whether it is destined to go on very much further or not, that in the end emancipation would but make the negroes the slaves of the community, instead of the individual.¹⁵⁴

¹⁵² Wm. E. Dodd's "Statesmen of the Old South," pp. 134-136.

¹⁵³ "Congressional Globe," Twenty-fifth Congress, Second Session, "Appendix," p. 69, "Southern Address," in "Works," Vol. VI, pp. 310, 311. See *post*, pp. 134, 158, 161, 431-432.

¹⁵⁴ "Report on Incendiary Publications," in "Works," Vol. V, pp. 190-208. See *post*, p. 138.

CHAPTER IV

SLAVERY AND ANTI-SLAVERY

The Rising Movement against Slavery — Incendiary Publications in the Mail — Abolition Petitions — Slaves Released from American Ships driven into West India Ports.

AT the opening of the first session of the Twenty-fourth Congress, on December 7, 1835, the credentials of Calhoun for a full term of six years from March 4, 1835, were presented by the chair. It was at this session that the discussion of slavery assumed for the first time that controlling position in the Federal legislature which led Benton to write late in life that it then "became installed in Congress, and has, too, unhappily kept its place ever since."¹

The subject must be gone into here at some length, for it has been of vital moment in our history, and the Southern side of the question must in particular be presented, despite its lack of general interest to-day. Otherwise, the course of the South, — and of Calhoun himself, — cannot possibly be understood.

The movement against slavery did not, — about 1820, or 1835, — like Minerva of old, suddenly spring into being in full panoply of armor. On the contrary, it was a very gradual growth as all such are, and its roots run back far deeper into the history of our race than can be shown here. World-wide beyond question in origin, it had been greatly accelerated by events of quite recent date. Our struggle between 1765 and 1783, for self-government and independence, the French Revolution, and the teachings as to the rights of man of which so much was heard at that time, were great contributing causes, and these were all but expressions of the general humanitarian outburst at about the end of the 18th century.

Closely at this same time, too, the cruelties of one branch

¹ Abridgment of Debates, Vol. XIII, p. 705.

of slavery began to attract attention, with the consequence that the slave-trade was soon made subject to severe penalties, was declared to be piracy in our country in 1820² and in England in 1824, while more or less similar laws were passed ere long in other countries. These movements did not, however, directly touch the system itself, and it was not until nearly a decade later that even England legislated in this direction, despite the fact that the problem was a very easy one for her, far off and touching the interests of but a handful of her people. At length, however, in 1833 a law was passed to abolish slavery in the British West India colonies, and here was a vital step in the matter, which at once stood out to the South in bold relief as a flaming signal of danger.

In our own country, too, there were a few sporadic outbursts at an early date. The Methodist General Conference, — a comparatively recent body, little bound by precedent and bursting with that itch for new things which has led to-day to the name Progressive, while the same tendency has at other times, I think, been dubbed by its opponents as Ultraism, — resolved in 1812 that no slaveholder should continue as a local elder, and the Presbyterian General Assembly voted in 1818 that slavery was “a great violation of the most precious and moral rights of human nature.”³ Some petitions upon the subject were, too, presented to Congress by Quakers in very early days, and the American Colonization Society was at bottom a continuing protest against slavery, generally veiled with care but its real nature ever shining more and more distinctly through the thin gauze of concealment and then-propriety. Still, these were hardly ripples on the surface and their meaning was quite unrecognized except by the very few who had in some way gained an inkling that at length the time was not far off when the ancient system of biblical and nearly all other times was nearing its end.

² Act of May 15, 1820, Peters's “U. S. Statutes at Large,” Vol. III, pp. 600, 601.

³ Hilary A. Herbert's “Abolition Crusade and its Consequences,” p. 67. The actions of the churches before the Civil War will be found fully narrated in Walter L. Fleming's “The Churches of Alabama during the Civil War and Reconstruction,” in “The Gulf States Historical Magazine,” Vol. I (September, 1902), pp. 105, 106.

The movement in our country did not begin in New England. Prior to 1830, it seems to have had almost no existence there, though there were numbers of anti-slavery societies in the middle belt of States and not a few in the South,⁴ but at about that date New England began suddenly to agitate the question, and already by 1835 she contained 200 anti-slavery societies and in 1836 500, to say nothing of several newspapers screaming stridently against the system.⁵ The reasons for this rapid growth cannot be clearly traced, but it is hard to believe that sectional jealousy was not one of them.

John Quincy Adams thus summed up the general subject in his Diary on August 11, 1835, "There is a great fermentation upon this subject of slavery at this time in all parts of the Union. The emancipation of the slaves in the British West India Colonies; the Colonization Society here; the current of public opinion running everywhere stronger and stronger into democracy and popular supremacy, contribute all to shake the fetters of servitude. The theory of the rights of man has taken deep root in the soil of civil society. It has allied itself with the feelings of humanity and the precepts of Christian benevolence. It has armed itself with the strength of organized association."⁶

⁴ How wide-spread this movement was in the South, prior to the agitation of abolition, is not perfectly clear, but it was at least extensive (Pendleton's "Life of Stephens," pp. 54, *et seq.*) and perhaps found its high-water mark in the discussions in Virginia in 1832. The latter were disapproved by Calhoun and thought by him to be due to the expectation of using the Federal surplus for the contemplated colonization, "Speech on Force Bill" in "Works," Vol. II, p. 225.

⁵ "Slavery and Abolition," by A. B. Hart, pp. 161, 173, 176-180, 184. Herbert's "Abolition Crusade," p. 54.

⁶ "Memoirs," Vol. IX, p. 251. At about this time, Adams was evidently pondering this subject deeply and balancing as to the course to pursue. In September, 1837, he called at the "Anti-slavery office" in Philadelphia and writes (*ibid.*, 365) that they urged him to "indiscreet" movements, which would ruin him and not help them, while his own family were urging him to have no connection with the abolitionists and their cause. His mind was made up ere long, and the man who had in 1832 disliked to present petitions, because their "discussion would lead to ill-will, to heart-burnings, to mutual hatred, where the first of wants was harmony; and without accomplishing anything else" (*ibid.*, VIII, 454) was soon the leading advocate of the petitions, and repeatedly said later that he would not abolish slavery in the District but wanted to preserve it for agitation, until slavery in the States should be shaken from its base (Barton H. Wise's "Life of Henry A. Wise," pp. 61, 62). Other hints as to Adams's

The South of course deeply mistrusted all these signs and portents of the time and looked upon them with a panicky fear, which was but the natural result of her circumstances. Born and nurtured in slavery, and seeing with painful acuteness the awful problems abolition would present to him, it was not in human nature for the average Southerner to do otherwise than oppose the growing tendency of the world and struggle to the death against its fulfillment.

This tendency on their part had first made itself very apparent during the Missouri struggle, and again in the discussions in regard to the Panama Congress the South fairly railed against our having any dealings with States in which the blacks were often the ruling class. Both of these events offer to view pictures of the essential Southern feeling, and — if we may take an illustration from a trivial instance, which has chanced to be preserved but is only one of millions more or less similar — what would any Southerner have thought of the debate which one young one heard in 1833 at Clinton Hall in New York upon the question: "Ought Slavery to be *immediately* or gradually abolished?" In this case, we are told, that after milder counsels from another, "a certain Wild Man, a crazy Fanatic, who vociferated his opinions in a most sublime style, . . . was *immediately* emancipating all now held in bondage by the *ferocious* system of slavery." This to the ears of a youth, who had probably seen only the gentler side of slavery and known the affection of and for a "mammy," and whose parents as well as his own instincts taught him the seriousness of the course so hastily urged.⁷

The early anti-slavery agitation was quickly followed in 1820 and 1831 by serious uprisings of the slaves in South Carolina and Virginia, and the first result was of course to make the lot of the slave a harder one. Throughout the

change may be found in his "Memoirs," Vol. IX, pp. 206, 207, 251-53, 255, 266-68, 302, 303, 349, 350, 365, 377, 380, 381. See also Benton's "View," Vol. I, pp. 622, 623.

⁷ Thomas Hobby to Cadet M. C. M. Hammond, May 20, 1833, in the James H. Hammond Papers, in Library of Congress. The writer of the letter met the "Wild Man" on a steamboat in a few days, and they soon fell into a wordy wrangle, in which Hobby said he should be glad to see hung not only Garrison but "any other man who dared to disseminate such opinions."

North, too, the conservative classes opposed the agitation strenuously,⁸ while the rougher element resorted to violence to break up the meetings of abolitionists, but time was to show that (as Calhoun early predicted) parties were so evenly divided in the North that neither would long venture to declare itself decidedly against the agitation and attempt to pass laws to suppress it. On the contrary, both came in the course of years to dally with the new ideas and to vote for laws introduced to carry them into effect.

Not long satisfied with meetings and discussions at home, the abolitionists took up another form of agitation about 1835. They deluged the Southern mails and loaded the products sent south for sale with cheap and vile pictures portraying the horrors of slavery as they saw them. Few of these seem to have survived, but one represented "a large and spreading tree of liberty, beneath whose ample shade a slave-owner was at one time luxuriously reposing, with slaves fanning him; at another time carried forth in a palanquin, to view the half-naked slaves in the cotton-field, whom drivers, with whips, were scourging to their task."⁹

The South at once arose almost as one man and denounced this course of action. Great meetings were held in Charleston in August, at which the Intendant or Mayor presided, "the clergy of all denominations, attended in a body," and resolutions were unanimously passed to the effect that the proceedings had "brought about a crisis," and hinting at "the certain destruction of the Union."¹⁰ More than this, the post-office in Charleston was entered and the offending mail seized and publicly burned, while the postmaster plainly sympathized,¹¹ and doubtless winked at this rifling of his office. And though Kendall, the Postmaster General, when appealed to would not direct the local officers to refuse to deliver or forward such

⁸ A very large meeting in Faneuil Hall passed strong resolutions on August 31, 1835, against anti-slavery agitation: Hilary A. Herbert's "The Abolition Crusade and its Consequences," pp. 64, 65, 71.

⁹ Benton exhibited this one in the Senate and so described it, Congressional Debates, Vol. XII, Part 1, 1835-36, pp. 85, 86.

¹⁰ The Charleston "Courier" of August 4, 5, and 11, 1835.

¹¹ The "Courier" of August 5. Jervy's "Hayne," pp. 379-81, and McMaster's "United States," Vol. VI, pp. 274-77, give some account of these proceedings.

papers, yet he plainly intended to intimate that they would not be criticized by the department for so acting.

What part, if any, had Calhoun in all this? I know of no distinct proof, but there is at least strong evidence of his influence, and it is impossible to suppose that his views were not a good deal called for and followed. Thus, one of the resolutions passed at the Charleston meeting was to the effect that, in order to curb the incendiary publications, it was only necessary to make it "unlawful to transport by the public mail, through the limits of any State, any seditious Papers, forbidden by the laws of such State, to be introduced or circulated therein." We shall shortly find Calhoun proposing this very method in the Senate and telling his auditors that he had concluded upon that plan during the preceding summer.

Again, the course of the *United States Telegraph*, edited by Duff Green and not only long very close to Calhoun but whose editor had visited him in the South in 1835¹² is most indicative. On August 18, 1835, Green's paper expressed the opinion that it would never do to allow the Postmaster General to decide, as he had in effect done, what publications should be excluded from the mail as being incendiary, for this would imply his right to decide what were not incendiary and to enforce their transmission. This very view will also be found advanced by Calhoun in the plan he advocated shortly in the Senate. And Green thought,¹³—again as did Calhoun,—that little harm could, after all, be done by the incendiary publications in the South, and that the real purpose of the abolitionists was to work on public opinion in the North.

In all these movements, indeed, the *Telegraph* won a name for itself by its reckless course. Some have quoted from a

¹² Calhoun wrote Green on August 30, 1835, of the increase of the excitement in the South in regard to the agitation against Slavery "since you passed through the South"; and Green wrote R. K. Crallé on July 18 from Washington, upon his return North: "I saw Mr. Calhoun who is well and resolved to do his duty," Letter among the Duff Green Papers in Library of Congress.

¹³ "The United States Telegraph," August 17, 1835. The apparent inconsistency of thus thinking and yet agitating so violently on the very subject of the incendiary publications in the South was later emphasized by opponents in the Senate, Congressional Debates, Vol. XII, Part I, 1835-36, p. 514.

series of papers, called "The Crisis," which appeared in the Charleston *Mercury*¹⁴ during the summer or fall of 1835 as samples of the Southern violence of the day, but their tone was highly diluted compared to Duff Green. "The Crisis" did begin by saying:

No reflecting man can fail to perceive that a crisis is rapidly approaching, pregnant with the fate of the Southern States. The proceedings of the British Government in relation to their West India Colonies—the fanatical spirit which seems to have taken possession of our Northern brethren—and indeed the whole current of affairs at home and abroad, admonish us that we ought no longer to slumber in a fatal security.

But "The Crisis" wanted no lynch law, no kidnapping, such as had been urged by others, and maintained that the South must look to herself. The people will soon come, it said, to see "the necessity of adopting the only means that promises security—A Convention of the slaveholding States. . . . We believe that the Union is in danger, great and imminent peril, unless something effectual be done, and that shortly, to put down the Abolitionists of the North. . . . It is to arrest these dire calamities and to restore peace and harmony to our distracted country that we recommend a Southern Convention." And it thought the proper time would be when the Legislatures of the Northern States should have adjourned without passing laws to suppress the Abolition Societies.

This was all written under the stress of very great excitement, but the *Telegraph* had in colder blood gone far ahead of it. As early as the latter part of 1834, when abolitionism had not advanced much beyond the stage of discussion at home and its propaganda was not yet launched, the columns of Green's paper began fairly to teem with notices of the doings of the abolitionists, interspersed with fiery denunciations, and in 1835 the frequency and virulence of these attacks vastly increased. The rival editor, Ritchie, of the *Enquirer*, was denounced for his slothful conduct in the matter, efforts were made to affix abolitionism on the presidential candidate Van Buren, and the

¹⁴ The "Crisis" is reproduced in full in the "United States Telegraph," October 26, 1835.

subject incessantly harped upon. On September 3, 1835, the *Telegraph* asserted that it had begun some two years before to call the attention of the South to the anti-slavery movements, "which had been accelerated in their motion by Mr. Adams's minority report"; it had then seen a storm brewing, and now already the Union was in danger.¹⁵

The *Telegraph* went still further. In one of its issues during the excitement over the circulation of incendiary publications, it referred to the fact that the laws of Georgia made their circulation punishable with death and then urged that Georgia should demand Arthur Tappan of New York as a fugitive from justice. In case of refusal, it went on, let Georgia offer such a reward for his apprehension as will surely result in bringing him within her jurisdiction. Our proposition will startle some Southerners, for forcible abduction is a serious matter, but here it is justifiable.¹⁶

We need not wonder that the *Globe* at the time called the *Telegraph* "a firebrand of faction" and asserted that it was "trying to dissolve the Union,"¹⁷ nor that the memory of its railing continued so that in the Senate in 1836 it was referred to as a press in this city "professedly devoted to the interests of a certain party at the South, which has long labored, with a zeal and perseverance worthy of a better cause, to agitate the public mind on the slave question."¹⁸

¹⁵ Such articles are very frequently to be found in the "*Telegraph*," at least, between December 11, 1834, and October, 1835. See, for example, December 11, 15, 27, 1834; March 2, May 14, 19, 20, 21, 28, July 1, August 18, September 3, 14, 1835.

¹⁶ Issue of August 18, 1835. Only two days later, and therefore probably independently, the Charleston "*Courier*," by no means a Calhoun publication, urged that South Carolina should demand of New York "the Tappans . . . to be delivered up to justice *here*—*here* to suffer condign punishment for their enormous crimes against God, man, their country, and society," and it enlarged upon this on August 22. Strange violence, certainly, in our eyes to-day, but does it not argue the awful seriousness of the provocation? As is well known, Alabama did later call for the extradition of an offending publisher of incendiary papers. See Congressional Debates, XII, Part 1, 1835-36, pp. 476, 510.

¹⁷ Quoted in the "*Telegraph*" for September 14, 1835.

¹⁸ Congressional Debates, XII, Part 1, 1835-36, p. 514: see also *ibid.*, pp. 487, 488. Ritchie, who, it has been seen, was denounced in the "*Telegraph*" for his slothfulness in the matter, could in 1833 see nothing in Calhoun and Green's excitement over slavery but a move to reach the presidency by uniting the South (Charles H. Ambler's "Thomas Ritchie," p. 167). But Ritchie was a politician, and this a politician's view, and it was,

Nor, in justice to historical truth, can it be left unsaid that Calhoun plainly approved of at least much of the *Telegraph's* denunciation, if he had not even had a part in inducing it, for in writing Green on August 30, 1835, after the latter had "passed through the South" and visited him, he referred to the increase of Southern excitement over the anti-slavery agitation and the fears of disunion entertained, and then told his correspondent "your early anticipation of the danger, and timely and continuous warning begins to be just appreciated." The *Telegraph* was, too, for many years, his organ.

But Calhoun did not take up the abolition cry for partisan reasons, as has been so often charged, and there is the plainest proof that, as much as a decade and a half before, he had seen that that issue, should it ever be raised, would force the South to endanger the Union. As early as 1820, when the subject was hardly yet thought of, he wrote, with the seer-like vision which nearly ever characterized him on this subject, that he could "scarcely conceive of a cause of sufficient power to divide this Union, unless a belief in the slaveholding States that it is the intention of the other states gradually to undermine their property in their slaves and that a disunion is the only means to avert the evil. Should so dangerous a mode of believing once take root, no one can calculate the consequences."¹⁹ The conviction of the danger of this issue was therefore already at that early date clear in his mind, and it was plainly a real belief and far from being a mere device of 1833-35 to gain the presidency. He undoubtedly did come to agitate the subject in an aggressive way, but later pages will show that this was in general a favorite line of policy with him. He often thought it wise "to force the issue."

Perhaps it may as well be said here that, as events marched on and the humanly speaking irrepressible conflict came nearer

in my opinion, very unjust as to Calhoun. The cause lay far deeper. Perhaps, however, others will find some justification for it as to Green at least in a letter of his to Crallé, dated September 21, 1835, in which he wrote: "I congratulate you on the spirit which is about to disenthral the South. This abolition question works well, and Ritchie sees that little Van is gone in the South." Duff Green letters in Library of Congress.

¹⁹ Letter of August 12, 1820, to Gallaway in the Markoe Papers in Library of Congress, quoted in Hunt's "Calhoun," pp. 54, 55.

and nearer, the Methodists again in 1836 and 1838 condemned slavery, and in 1844 broke into two bodies — North and South — on the question whether or not a bishop could own slaves.²⁰ They were thus the first instance of that disintegration and slow snapping of the bonds of union, which culminated in entire separation in 1861, but the insidious and already widespread steps of which it will be found that Calhoun saw clearly in 1850.²¹ He had indeed long before this seen very plainly in 1836 how inevitable it was that the more slavery was assailed, the more the South would hold together in its and their own defence.²²

But these events lie far ahead of the period with which we are now concerned. When Congress met in December, 1835, slavery agitation soon came to be the order of the day, and, as has been already said, the abolitionists had then made their first move in what was the worst form they ever practised. The South was much alarmed by the "incendiary publications," and in this general feeling Calhoun of course shared.

As early as February, 1833, he seems to have feared that efforts looking to abolition might be made,²³ and a year later he wrote very clearly to that effect. Writing from the Senate Chamber, January 4, 1834 to Francis W. Pickens, he says:

I know from [an] unquestionable source, that it is contemplated to agitate the slave question this session. A Bill has already been prepared; and the member fixed on to introduce it; but it is still under consideration at what time and in what manner, it shall be made. It comes from the Colonization Society, and contemplates to emancipate the slaves in the District immediately; combined with a plan to colonize on a large scale the free Blacks, anywhere, with the aid of the Government. Such a move, should it be made, as it is certainly contemplated, can only be considered as the commencement of immediate emancipation over the whole [of] the South, to which event it will certainly lead, if not promptly met

²⁰ Herbert's "Abolition Crusade," pp. 68 and 70.

²¹ Speech of March 4, 1850, "Works," Vol. IV, pp. 542-573; pp. 556-558.

²² Congressional Debates, XII, Part 1, 1835-36, p. 73

²³ In his speech on his resolutions of that time, he warned Forsyth that the clause as to guaranteeing the States a republican form of government, which Forsyth wished to draw in against nullification, might much more easily be used to abolish slavery, "Works," Vol. II, p. 308.

by the entire slave holding states, with the fixed determination to resist at any hazard.

Perhaps it turned out that the Panic Session, as that one came soon to be called, was crowded with too many other subjects, then seeming to be of greater moment, for this particular issue of slavery to be brought out upon the political stage in the halls of Congress. At any event, it did not appear, and the reader will observe that the South for its part was also not guilty of agitating the subject.

Calhoun was equally silent, but continued to watch the course of the abolitionists with evident anxiety and wrote Duff Green in his already quoted letter of August 30, 1835, "Since you passed through the South the excitement in relation to the Northern fanaticks has very greatly increased. The indications are, that the South will be unanimous in their resistance and that the resistance will be of the most determined character, even to the extent of disunion, if that should be necessary to arrest the evil. I trust, however, it may be arrested far short of such extremity."²⁴ During that summer, so he said in his speech of April 12, 1836,²⁵ he came to the conclusion that the matter of the incendiary publications would certainly find its way into Congress in the coming session, and he then thought and studied in regard to what was the proper method of meeting the issue. On the opening day of the session, the message of the President brought the subject before Congress and recommended the passage of a law to prohibit under severe penalties the circulation in the mail of incendiary publications intended to instigate the slaves to insurrection.

But this was by no means what Calhoun wanted, nor the result to which his study of the constitutional question had led him. He was quite too much addicted to looking far ahead to be willing to accept a measure, which, while it would get rid of the trouble for the present, conceded at the same time to the Federal Government a power to decide what contents of the mail were of an incendiary character and hence to be ex-

²⁴ See also "Correspondence," pp. 357, 358, 361, for letters to Van Deventer of February 7, 1836, and to Armistead Burt of June 28, 1836, to the same general effect.

²⁵ "Works," Vol. II, pp. 509-533, 510.

cluded, and by necessary implication to decide what were not of that character and to enforce their delivery. He therefore moved on December 21 that so much of the message as related to the transmission of incendiary publications in the mail should be referred to a special committee.

The motion was opposed by King of Alabama, among others, on the ground that it would tend to add importance to the matter; but Calhoun replied that "his object was not to produce any unnecessary excitement" but to send the matter to a committee which would examine and calmly consider. He was surprised at the course of the member from Alabama, he said, who of course felt the interest on this subject felt by all Southern men, and he reminded members that, unless a special committee were appointed, the subject would go in the regular course of business to the Committee on Post Offices and Post Roads, of which but one member was from the South.

Calhoun's motion was carried and a committee of five appointed, consisting of himself as chairman, King of Georgia, Mangum, Davis and Linn. From it he brought in a bill upon the subject on February 4, 1836, together with an elaborate report, which was not concurred in by a majority. He and one other member agreed throughout and three others concurred in the greater part of the report. In regard to the bill, two members would have preferred a different measure, though they preferred that reported to none. Another member was entirely opposed.

The bill proposed to make it unlawful for any United States postmaster either to receive and put in the mail or to deliver publications touching the subject of slavery addressed to any post office in the Union where the circulation of such matter was prohibited by the law of the State concerned. Postmasters violating the law were to be dismissed and fined, and the incendiary publications were to be finally handed over (evidently with a view to their destruction) to such officers as the States should appoint for the purpose. Copies of the laws of the several States were to be furnished postmasters.²⁶

Calhoun's report,²⁷ like everything he wrote, was a close

²⁶ Congressional Debates, XII, Part 1, 1835-36, pp. 326-333, 383-385.

²⁷ "Works," Vol. V, pp. 190-208.

and careful argument, and in it may be found many of the contentions in regard to the vexed subject of slavery which he continued to maintain until the day of his death. He wrote:

It may, indeed, be safely asserted, that there is no example in history in which a savage people, such as their [the slaves'] ancestors were when brought into the country, have ever advanced in the same period so rapidly in numbers and improvement. . . . Social and political equality between them [the two races] is impossible. No power on earth can overcome the difficulty. The causes lie too deep in the principles of our nature to be surmounted. But, without such equality, to change the present condition of the African race, were it possible, would be but to change the form of slavery. It would make them the slaves of the community instead of the slaves of individuals, with less responsibility, and interest in their welfare on the part of the community than is felt by their present masters. . . . It would be well for those interested to reflect whether there now exists, or ever has existed, a wealthy and civilized community in which one portion did not live on the labor of another; and whether the form in which slavery exists in the South is not but one modification of this universal condition; and, finally, whether any other, under all the circumstances of the case, is more defensible or stands on stronger grounds of necessity. It is time to look these questions in the face. Let those who are interested remember that labor is the only source of wealth, and how small a portion of it, in all old and civilized countries, even the best governed, is left to those by whose labor wealth is created.

Calhoun spoke to his bill on April 12.²⁸ King of Georgia had been in a high degree personal, asserting that Calhoun's refusal to accept the measure proposed by Jackson and seeking out instead one of his own was due exclusively to hostility to the President and illustrating his charge by the story of how to get a pig to market. To this Calhoun answered that he must tell the Senator that this "anecdote borrowed from O'Connell and the pig . . . was much better suited to the Irish mob to which it was originally addressed than to the dignity of the Senate, where he has repeated it." A good deal more of the speech was in answer to King, who had assumed some very

²⁸ "Works," Vol. II, pp. 509-533.

untenable positions and perhaps had illustrated the same tendency to go the other way from that in which he was led, of which he complained in Calhoun.

The argument as to the essential rights of the matter was that the complete power assumed in the Message for the central government in regard to postal regulation was nowhere delegated, and that it would be a clear violation of the clause concerning the liberty of the press for Congress to discriminate as to what was of a proper character for transmission by the mail. Again, as the subject of slavery was exclusively under the control of the States, it was the duty of the General Government, in the exercise of powers delegated to it, to respect the laws which the slaveholding States might pass for the protection of their institution and to oblige its officials to abstain from violating such laws.

Davis of Massachusetts, who took a large share in the debate, had combatted in particular this point, which was made in the report, as well as later orally and Calhoun evidently thought the argument presented dangerous, for he asked an adjournment in order that he might arrange his views. A few days later he made his chief speech already quoted in part and cited two cases much in point. Quarantine and its regulation were then admitted to belong to the States, and Congress had in 1796 passed a law²⁹ making it the duty of the civil and military officers of the United States to abstain from violating the health laws of the States and to cooperate in their execution. In 1803, again, Congress had passed a law to prevent the introduction into a State of any free negro excluded by its laws and directing Federal officials to cooperate with those of the States to that end. Davis thought he distinguished this law as being passed in exercise of the power to suppress the slave trade; but Calhoun showed the fact to be as stated.³⁰

²⁹ Act of May 27, 1796, Chap. 31, Peters's "Statutes at Large," Vol. I, p. 474. See also Act of February 25, 1799, Chap. XII, *ibid.*, pp. 619-21, modifying this law and enacting an elaborate system upon the subject.

³⁰ *Ibid.*, Act of February 28, 1803, Chap. X: Vol. II, pp. 205, 206. The very title of this act is: "An act to prohibit the importation of certain persons into certain States, where, by the laws thereof, their importation is prohibited," and its text is equally clear, so there can be no shadow of doubt that Calhoun was right as to it. Peters, however, cites it (*ibid.*, Vol. I, pp. 347-349, foot-note) among "the acts prohibiting and punishing the

Davis also maintained of course that, as the power to regulate the mail was expressly delegated to Congress, any State law must yield in case of conflict between it and the law of Congress. To this, Calhoun answered that the fact that the power over the mail had been delegated to Congress gave no right to control in other matters belonging to the reserved rights — that the delegation of the one was no more clear than the reservation of the other.

In case of conflict between the laws of the General Government and of the States in such cases, he maintained that regard should be had to the nature and magnitude of the powers to which such laws relate. The low must yield to the high; the convenient to the necessary, mere accommodation to safety and security. This principle was universal in all such cases, and who would pretend that laws in regard to postal matters were superior in importance to those relating to slavery, which was absolutely vital to eleven States of the Union? Nor did he mean that such yielding was based on concession. On the contrary, it was obligatory under the constitution, which only gave authority to Congress to pass laws necessary and *proper* to carry out the powers conferred. A law could not be proper which would "abrogate, in fact, the laws of nearly half the States of the Union."⁸¹

Finally, near the end of his speech, he said:

We have arrived at a new and important point in reference to the abolition question. It is no longer in the hands of quiet and peaceful, but I cannot add, harmless Quakers. It is now under the control of ferocious zealots, blinded by fanaticism and, in pursuit of their object, regardless of the obligations of religion

slave-trade," presumably because it might possibly have an indirect effect on the increase of slavery.

⁸¹ The reader must decide for himself on the validity of the argument made by Calhoun; but perhaps we have here another instance where the human mind is soon lost in mazes, when dealing with questions of right, power, obligation, and expediency. In truth, the question was, like many others, not dreamed of by the Founders,—nor did their language really cover it. Calhoun sought, perhaps unconsciously, for a solution of the problem before him, which should be favorable to his section, and, advocate-like, he then soon found one. In such a hazy question, it was perfectly justifiable to put the matter in the best light for those he more especially represented, and probably few minds could have thought out so clearly the argument which he made.

and morality. They are organized throughout every section of the non-slaveholding States; they have the disposition of almost unlimited funds, and are in possession of a powerful press, which, for the first time, is enlisted in the cause of abolition, and turned against the domestic institutions, and the peace and security of the South. . . . Thus far (I say it with regret) our just hopes [as to the course of the North] have not been realized. The legislatures of the South, backed by the voice of their constituents, expressed through innumerable meetings, have called upon the non-slaveholding States to repress the movements made within the jurisdiction of those States, against their peace and security. Not a step has been taken; not a law has been passed or even proposed and I venture to assert that none will be. Not but that there is a favorable disposition towards us in the North, but I clearly see the state of political parties there presents insuperable impediments to any legislation on the subject. I rest my opinion on the fact that the non-slaveholding States, from the elements of their population, are, and will continue to be, divided and distracted by parties of nearly equal strength, and that each will always be ready to seize on every movement of the other which may give them the superiority, without much regard to consequences as affecting their own States, much less of remote and distant sections. . . .³²

Davis and others urged strongly the inconsistency of Calhoun's maintaining that Congress could not itself legislate to exclude incendiary publications, because they would thereby violate the clause as to the liberty of the press, while his own proposal was that they should adopt certain laws of the States, which did this very thing, and thereby violate by indirection the same clause. Much was said, too, of the unspeakable complication of his plan and the difficulty of having every postmaster throughout the Union study the laws of all the States and then ferret through vast masses of mail to find the offending pieces. As a result of the discussion, Calhoun either saw that his bill would fail, or perhaps he became convinced that, in thinking the matter out during the summer alone and without aid from the clash of adverse opinion, he had to some extent gone on a

³² For the proceedings in general, see Congressional Debates, Vol. XII, Part 1, 1835-36, pp. 383-385, 1103-1108, 1124-1134, 1136-1148, 1675, 1721, 1729-1731, 1737.

false scent and had failed to see the difficulties of his own plan. He seems at least, to have quietly let the bill fall, and he supported ere long a substitute that was offered.

This substitute bill came from Grundy, who was in sympathy with the general aim, but his was a much simpler remedy. It proposed to leave the reception and forwarding of mail precisely as it already was, but to forbid, under penalty of dismissal, any postmaster in any State from knowingly delivering incendiary publications, when the laws of that State forbade them. Notice was then to be given, so that the offending mail could be withdrawn by the sender, and it was otherwise to be destroyed.

Calhoun moved to amend the substitute by a provision for the delivery of such publications to any officer the States might appoint to receive them, evidently with a view to their immediate destruction by State authority, but this was lost in committee by a tie of 15 to 15 and Grundy's substitute agreed to without a division. Then, in the House proper, Calhoun's amendment was again defeated by 15 to 15 (the Chair, for some unexplained reason, not voting) and Grundy's substitute adopted by a different tie of 18 to 18, the Chair voting Aye. But in the end the bill was lost on June 8, on the third reading, by 19 to 25.³⁸

The reader will have observed these several varying tie-votes closely at the same time. They would hardly be comprehensible without the key, but hidden in them lies a move in partisan politics. Van Buren was then Vice-President and candidate for the Presidency, and he it was, who had some years before, by dint of creating a tie, forced Calhoun as Vice-President to vote against the Tariff Bill of 1828 and thereby injure his popularity in tariff States.

Calhoun was now returning the compliment. An eye-witness calls attention to the smallness of the vote and how, when one side gained an accession of three votes in some way, the other side also at once rose by that number, and adds that Calhoun was the member who called for the yeas and nays in

³⁸ The proceedings in general are to be found in *Congressional Debates*, Vol. XII, Part 1, 1835-36, pp. 1103-08, 1124-34, 1136-53, 1155-71; *ibid.*, Part 2, 1374, 1675, 1721-37.

each instance. Van Buren, so he goes on, "was out of the chair, and walking behind the colonnade, back of the presiding officer's chair. My eyes were wide open to what was taking place. Mr. Calhoun, not seeing him, eagerly and loudly asked where was the Vice-President? and told the sergeant-at-arms to look for him. But he needed no looking for," for he immediately appeared and voted in favor of engrossment. He could not have voted against it without imperiling his chances in the South in the pending election, and he was thus forced to take sides on an issue upon which his own section was not a unit.³⁴

It was not long ere the abolitionists entered upon another form of agitation. On January 7, 1836, petitions from Ohio were presented,³⁵ praying the abolition of slavery in the District of Columbia, and on the 11th Buchanan presented a similar one from the Caln quarterly meeting of Friends. It was about this latter that the contest was in the main fought, its language being milder and the others having been withdrawn. On the presentation of the petitions from Ohio Calhoun had at once, after they were read, "demanded the question on receiving them, which was a preliminary question," and there then began that long and bitter contest over the matter which occupied so much time in both houses for several years and which soon bore the appearance of an attack by Calhoun and the South on the time-honored right of petition.³⁶

It was certainly, as matters turned out, an ill-starred contest for them to enter upon, and not only did their opponents

³⁴ Benton's "View," Vol. I, p. 587. Benton says he deemed Van Buren's vote "a political vote, that is to say, given from policy; and I deemed it justifiable under the circumstances." I cannot think Calhoun can be blamed for this piece of practical politics.

³⁵ It was stated in debate more than once that a few like petitions had been presented earlier in the same session and at the two preceding ones, and no question raised as to reception but that they had been quietly tabled, Congressional Debates, Vol. XII, Part 1, 1835-36, pp. 90, 93, 733, 751. Calhoun was said to have been present in the instances mentioned at p. 733. See also Wilson's "Slave Power," Vol. I, pp. 307-320, as to the earlier treatment of the petitions.

³⁶ Calhoun argued that the right of petition did not belong to free States and was only for the use of a subject to his ruler, and the same contention was later made in the House, "Congressional Globe," Twenty-sixth Congress. First Session, p. 187. *Ibid.*, Twenty-seventh Congress, First Session, "Appendix," p. 74.

denounce with great show of reason this violation of an ancient right, but the making of the issue in Congress furnished at once to the abolitionists an exalted stage on which to utter and thence easily spread far and wide their ever growing denunciations of slavery. Calhoun and the South were warned time and again that this would be the result and were urged to receive the petitions and then quietly smother them, and this plan might have succeeded for a time, but probably Calhoun was right in thinking that the rising flood of abolition sentiment could not long be held back by such means. It must, he insisted, be met in the boldest manner, "on the frontier," and without the least concession. And on another later occasion, he illustrated his meaning in a way which was perhaps characteristic. "The moral," he said,³⁷ "is like the physical world... Nature has encrusted the exterior of all organic life, for its safety. Let that be broke through, and it is all weakness within. So in the moral and political world. It is on the extreme limits of right that all wrong and encroachments are the most sensibly felt and easily resisted. I have acted on this principle throughout, in this great contest."

Only in the way he urged, on the crust or frontier, so he steadily maintained, was it possible for the South to meet the question and preserve its system of civilization and power in the Union. Otherwise, step by step, slavery would be cabin'd, cribbed, confined and finally abolished, and their whole social constitution turned upside down, to begin again from the bottom. Here we have evidently the explanation of the motives guiding him to a course which seemed to others so highly aggressive.

It has been seen that, as early as the summer of 1835, when the incendiary publications had begun to appear in the South but before the discussion in Congress, Calhoun thought the subject so serious that it might even lead to disunion, and I have already expressed the opinion that he was beyond doubt largely concerned in the lurid and ultra answering wave of passion, which began to sweep over the South at that time. Some have found in this an unpardonable crime on his part

³⁷ "Congressional Globe," Twenty-sixth Congress, First Session, p. 191.

against the Union, but such a judgment is most unjust. His course here was but part of a great and essential policy, and in his estimation the only way to preserve the Union and protect his section from utter ruin. After the adjournment of the session of Congress in which the subject had first been the subject of angry debate, he wrote in a public letter⁸⁸ that abolition "strikes directly and fatally, not only at our prosperity, but our existence as a people. . . . [It] is a question that admits of neither concession nor compromise. The door must be closed against all interference on the part of the general government in any form, whether in the District of Columbia, or in the states or territories. The highest grounds are the safest."

At somewhere about this same time, too, and at least early in the contest, he wanted the South to meet in Convention upon the subject, and urged this view upon Hayne, Hamilton and McDuffie in some consultation at Columbia, but they thought otherwise. He was still of opinion, too, in 1838 that such was even then their best course, though he thought that by that time they had lost the most favorable opportunity.⁸⁹ We shall see again how the halting plan of a Southern Convention slowly grew.

The pathos of his position was that, though thus soon driven to consider the Union and even to share in threats against it, Calhoun was to his dying day its lover and anxious to preserve it from the perils which he already saw ahead with the strangely clear and prophetic vision characterizing his views upon the subject from then on to the time of his death. They were indeed sorrowful days to him. To his friend Hammond, absent in Europe, he wrote on February 18, 1837, in the vein of an old man, who feels that the whole trend of the world is away from his beliefs:

Modern society seems to me to be rushing to some new and untried condition. With us great changes have occurred, as short as has been the period of your absence. [After narrating

⁸⁸ Answer of August 5, 1836, declining invitation to a dinner in Athens, Georgia, Niles's "Register," Vol. L, p. 432: see also his speech in *ibid.*, pp. 77-79.

⁸⁹ Letter of November 17, 1838, to Robert Y. Hayne.

some of the political doings of the Jackson period.] This is a sad picture of the state of things on this side of the water; and yet with my non despairing disposition, I am disposed to regard it as the precursor of a general and thorough reform. The principle of stability and regeneration is wonderfully strong in our country and under our political system. We have for the last 12 years been going through great and dangerous junctures. The passage is almost made, and, if no new cause of difficulty should intervene, it will be successfully made. I, at present, see none but the abolition question, which, however, I fear is destined to shake the country to the centre. It has made great progress since you left us. Its advocates are more numerous and audacious than ever, and have taken higher ground, at this, than the last session. For the first time, the bold ground has been taken, that slaves have a right to petition Congress; and what is wonderful, a vote of the House of Representatives, has by strong implication, sustained the ground.⁴⁰

To his daughter, too, he had occasion to write on the same general subject about a year later (January 25, 1838). She had evidently written him expressing, with the impetuosity and heedlessness of youth, a wish for immediate separation from the Union. He replied,—and the reader will remember that this is a private letter of advice and monition:

In speaking of abolition, you say it is better to part peaceably at once, than to live in the state of indecision we do. This is a natural and common conclusion, but those, who make it up, do not think of the difficulty involved in the word; how many bleeding pores must be taken up in passing the knife of separation through a body politic (in order to make two of one), which has been so long bound together by so many ties, political, social and commercial. We cannot and ought not to live together as we are at present, exposed to the continual attacks and assaults of the other portion of the Union; but we must act throughout on the defensive, resort to every probable means of arresting the evil, and only act, when all has been done, that can be, and when we shall stand justified before God and man in taking the final step.

⁴⁰ Referring to a resolution passed in the House at the time of the effort to censure John Quincy Adams for presenting a petition supposed to be from slaves. The House, by an overwhelming majority, passed a later resolution to deny any such effect to the first one, *Congressional Debates*, Vol. XIII, Part 2, 1836-37, pp. 1708, 1733, 1734.

Any other course would fail in its object, and ruin those, who may attempt it. We must remember, it is the most difficult process in the world to make two people of one.

As we look back over the long course of years since these then vital and now utterly dead and forgotten questions were discussed by our ancestors with such bitter heat, was not Calhoun in great part right? Is it not plain to-day that the case was one where the whole stake had to be risked and absolute victory or crushing defeat were the only alternatives? Had the South yielded the advanced positions, as he was so fond of calling them, they might have smothered the abolition petitions and have avoided that particular reef, but an ever-growing humanitarianism, the resistless onward march of democracy and the struggle for the control of the Union would not have left them long at peace with their system of slavery. Leaders of endless persistence were at the head of the abolition movement and were as the martyrs in their determination to agitate against slavery, until it should be hurled down from its foundations. Had then the petitions of 1835 and later years been quietly shelved for the time by some such device as was urged by Buchanan and others, these men would almost certainly have found ere long another weak spot ⁴¹ in the armor of their opponents, and then politicians eager for an issue would soon have taken up this new cry, as gladly as they did that of the right of petition.

Calhoun was here again the great leader of the South, though I fail to find that he had foreseen and thought the matter out. He made his chief speech on March 9, 1836, and began by arguing that, as the Senate was evidently overwhelmingly of

⁴¹ Thomas Cooper wrote James H. Hammond on January 8, 1836, that the table of the House of Representatives would come to be loaded with slavery petitions, until the body would say that it must have a decisive report, and they will be referred. Even if the report should be strongly in your favor, he went on, "the Southern members must refuse to receive it, otherwise they sanction legislation on the subject. But the report will be insidious and ambiguous. . . . Pray get the most able and spirited Southerners to meet in caucus until a plan can be devised to force a decision of ay or no, on the right of discussion. A claim of right to discuss implies claim of right to act on the question. . . . I foresee it will end in a dissolution of the Union, for we have no safety in any other measure." Letter in James H. Hammond Collection, in Library of Congress.

opinion that the petitions were highly mischievous and contained nothing requiring their action, it was an idle waste of time to receive for the purpose of immediately rejecting. The reason alleged was that to refuse to receive would be a violation of the right of petition. This, he said, if true, would be an end of the question, but he had examined the matter carefully and was satisfied that the right extended only to the presentation and that then the rights of the Senate began. He cited their 24th rule: "Before any petition . . . shall be received and read at the table, . . . a brief statement of the contents . . . shall verbally be made by the introducer," and Jefferson's remark thereon that (except in case of silence or a cry of "receive") "regularly a motion for receiving it must be made and seconded, and the question put whether it shall be received," and said he felt that here he might terminate the discussion, for their own rule, as old as 1789 and retained ever since without alteration, showed that upon presentation the petition was at once met by the rights of the Senate.

But the question was so important that he would go further. For the first time it is maintained that we have no discretion and must receive, no matter how absurd, mischievous or foreign from the purpose of the Government the petition may be. Suppose we should be asked to pass a law denying the existence of the Deity, will it be maintained that we must receive it? No real precedents in point are cited on the other side, and the law laid down for England by Hatsell is quite to the contrary. Petitions are there shown to have been frequently refused reception. Our own Senate, too, very recently refused to receive a preamble and resolutions approving of the removal of the deposits.

"No one supposes that slavery will now be abolished in the District," he went on, and the real object of these petitioners is to have us assume jurisdiction of the subject. Shall we receive this petition and thereby yield to them the commanding position that we have no such jurisdiction? No! We must meet the enemy "on the frontier." We are urged to receive and then at once to reject, and thereby secure the advantage of a large majority, but this plan surrenders all and looks

"like a trick — a mere piece of artifice to juggle and deceive." As to the argument of friends from the North that the right of petition is popular there, and that to allow that issue to be made, will weaken their position at home, if we could only be sure that they would arrest the progress of the evil, the question for us might be different, but we shall have only their feelings, while their constituents get their votes. Finally, in regard to the vital nature of the problem to them, he said :

We love and cherish the Union ; we remember with the kindest feelings our common origin, with pride our common achievements, and fondly anticipate the common greatness and glory that seem to await us, but origin, achievement and anticipation of coming greatness are to us as nothing compared to this question. It is to us a vital question. It involves not only our liberty, but, what is greater (if to freemen anything can be) existence itself. The relation which now exists between the two races in the slaveholding States has existed for two centuries. It has grown with our growth, and strengthened with our strength. It has entered into and modified all our institutions, civil and political. No other can be substituted. We will not, cannot permit it to be destroyed. If we were base enough to do so, we would be traitors to our section, to ourselves, our families, and to posterity. . . . If we are to be exposed here, in the heart of the Union, to endless attacks on our rights, our character, and our institutions . . . we will then be compelled to turn our eyes on ourselves. Come what will, should it cost every drop of blood, and every cent of property, we must defend ourselves ; and if compelled we would stand justified by all laws, human and divine. . . .⁴²

The subject was discussed at great length and by many members on different days from January 7th to March 14th, and almost without exception Senators were anxious to get rid of the question as quietly as possible and to bury it forever. The doubt was how best to accomplish this end. Calhoun's plan was much objected to as tending to agitation and excitement, and several others were offered in its place, some looking to reference to a committee and then a rejection upon its re-

⁴² "Works," Vol. II, pp. 465-490, or Congressional Debates, Vol. XII, Part 1, 1835-36, pp. 765-78.

port, which was sure to be unfavorable to any action; but the suggestion to find most favor was that of Buchanan, who had offered the Caln petition but was opposed to it. He had moved simply that the memorial "be read, and that the prayer of the memorialists be rejected." Calhoun's main speech above quoted from was the closing one on the question of reception, and at its end the Senate voted by 36 to 10 to receive the petition.

A few other suggestions were next made upon the subject, but Buchanan's was evidently most favored and two days later his motion to reject the prayer of the petition was carried by 34 to 6. Calhoun declined to vote at all on this question and had announced at the end of his main speech upon his motion to reject that, if the Senate should vote to receive and thus "entertain jurisdiction over the question of abolition . . . I can perform no act that would countenance so dangerous an assumption," and shall feel constrained to decline any participation in the subsequent proceedings. Upon the final vote, he enlarged upon his reasons, but no Southerner went with him in this, not even his colleague Preston.⁴³

But the end was not yet. Upon the announcement of the result, Webster said that he had in his hand several like petitions and should shortly present them. He accordingly offered four on March 16, and moved their reception and reference to the Committee on the District. He contended that abolition in the District was clearly within the authority of Congress and that this was the proper course to pursue with the petitions. It was next moved that they be not received and then that his motion be laid upon the table and this was very soon carried. But one more petition was at once offered, only to receive in turn the same treatment. And later in the session still another similar one was presented and two aimed against the admission of Arkansas with slavery, but all were disposed of in much the same way without discussion.⁴⁴

⁴³ Congressional Debates, Vol. XII, Part 1, 1835-36, pp. 72-100, 185-211, 471-497, 500-533, 636-721, 726-782, 786-788, 803-810. The Caln memorial is printed at 803, 804.

⁴⁴ Congressional Debates, XII, Part 1, 1835-36, pp. 833-838, 1134, 1135, 1199, 1277, 1278. The petitions presented were evidently not so spontaneous, as is often supposed. Webster's four were all on printed forms,

Calhoun was probably technically right in his contention that, immediately upon the presentation of any petition and a statement of its contents, the rights of the Senate attached and it had the right to refuse to receive. He seems to have shown this under the Senate rules; and he and others⁴⁵ cited several instances in point in our history. He showed, too, apparently that the same was the case in Great Britain. But all this hardly established the propriety of the action proposed. Abstract right, the mere *power* to follow a special course, is not enough to establish that that course should be followed, or even can rightly be followed, in any particular instance. Here, again, questions go off quickly into a maze of logical confusion, and different minds cannot agree as to where to draw the line between power and propriety.

The real purpose of the rights claimed for the Senate as to the reception of petitions was and is to enable it to control its own affairs, to protect itself against such abuses as gross disrespect, against petitions in matters as to which it palpably has no functions and against being swamped by a mass of almost identical prayers, all claiming separate consideration. It must protect itself in some way against the latter, and probably this phase did later arise in the House of Representatives. But in the Senate in 1836 such was not the case. And as to the claim made that there was plainly no constitutional right to abolish slavery in the District, surely the fact that elaborate, and to many brilliant minds convincing, arguments were made on the other side of the question was enough to show that the asserted lack of power was not so palpable as to justify a refusal *in limine* even to consider.

At the same session like petitions in regard to slavery were presented in the House. In that branch, as in the Senate, they had at first been quietly laid on the table by large majorities,⁴⁶

— three identical and the fourth slightly different. Webster spoke of one of the three as being "in the usual printed form."

⁴⁵ Preston at *ibid.*, p. 80, and Leigh at p. 187. I have not considered it necessary to study elaborately the precedents cited from different sources, because they do not seem to be conclusive, even if they are just as advocates claimed.

⁴⁶ Benton's "Abridgment," Vol. XIII, p. 5. J. Q. Adams's "Memoirs," Vol. IX, p. 206.

but this course could not be maintained. When they grew imperative in 1835-36, James H. Hammond, a political friend of Calhoun and one of the fire-eaters who had wanted to dragoon him into Nullification in 1831, at the time when he was still holding back, at once "moved the question of consideration," that is, that the petitions be not received, precisely as did Calhoun in the Senate. Hammond at least thought that he was well sustained in this effort, until Henry L. Pinckney, formerly of the *Charleston Mercury*, "betrayed us and made a compromise."⁴⁷

This happened as follows. After Hammond's motion had been for some time under consideration, Pinckney suddenly offered resolutions to refer the whole matter to a special committee with instructions to report that "Congress possesses no constitutional authority to interfere in any way with the institution of slavery in any State, . . . and that, in the opinion of this House, Congress ought not to interfere in any way with slavery in the District of Columbia." Hammond was evidently amazed at the suggestion and insisted, just as did Calhoun in the Senate, that any such proposal gave up the whole ground by admitting jurisdiction of the petitions.

Nor was Hammond alone, for Adams writes⁴⁸ that the report "was immediately attacked with extreme violence, and a fiery debate arose. . . . Waddy Thompson said that he would commit it to the flames or to the hangman."

Pinckney's resolutions were, however, carried by large majorities and a report brought in as directed, but with an addition reciting the importance of arresting the agitation of the subject and therefore resolving that all petitions in regard to slavery "shall, without being either printed or referred, be laid upon the table, and that no further action whatever shall

⁴⁷ Hammond's "Diary," under date of February 7, 1841, Hammond Papers in Library of Congress. The motion not to receive similar petitions had been made earlier in the session by another member. J. Q. Adams's "Memoirs," Vol. IX, p. 266. In the preceding summer Hammond had written a friend "shall we argue the slave question and quit our seats if defeated, or shall we quit them without argument?" Letter of July 4, 1835, to J. W. Hayne in Hammond Papers, *ut supra*.

⁴⁸ "Memoirs," Vol. IX, p. 283.

be had thereon." The resolutions reported were all soon passed by large majorities.⁴⁹

Thus originated the first of those House rules which came to be called "gags" or "gag-resolutions" in the partisan language of the day, but it is curious and does not seem to be generally known that the course of action so decided upon was at the time most highly distasteful to a large element in the South, which wanted far stronger measures.

Pinckney was not apparently denounced openly, yet Hammond's correspondents wrote, for example, of his course as "monstrous and traitorous" and thought it inexplicable "except on the presumption of religious fanaticism."⁵⁰ Hammond and his friends all wanted "the highest grounds" taken and were at that time far from satisfied with a measure which would perhaps stifle the petitions but admitted the vital point of jurisdiction. They came in time of course, when no other line of action was longer left open, to support the famous rule for the suppression of abolition petitions, and denounced its later abandonment in unmeasured terms as a "flagrant outrage infringing on the Federal Compact," and once more murmurings against the Union were rife among them.⁵¹

We must return to the Senate, where, whatever may have been Calhoun's indirect influence in the House, he was present

⁴⁹ Congressional Debates, Vol. XII, Part 2, 1835-36, pp. 1966, 1967, 1969, 1986, 2219, 2220, 2448-2466, 2491, 2495-2502: *ibid.*, Part 3, pp. 3756, 3757, 4031, 4050-4054. This mode of disposing of the petitions did not originate with Pinckney's committee, but had, e.g., already been proposed in the House by Jarvis of Maine, at the request of Owens of Georgia, J. Q. Adams's "Memoirs," Vol. IX, pp. 267, 271.

⁵⁰ Petigru wrote to Legaré on February 17, 1835: "Pinckney bolted a week ago and introduced resolutions counter to the proceedings of Hammond in the House and Calhoun in the Senate. They are vexed but don't denounce him." "Life and Letters of James L. Petigru," by Joseph Blyth Allston in the Charleston "Sunday News" of various dates between January 21 and June 17, 1900: see issue of June 10, Chapter LI. Hammond's Correspondence in the Library of Congress shows plenty of denunciation in private letters: see, for example, James Hamilton to Hammond February 10, 1836; Jas. Davis to Hammond February 16, and numerous other very bitter letters at about this date, as well as accounts of a correspondence with Pinckney upon some question of veracity, which threatened to result in a duel. Pinckney was not reflected, having been defeated by Hugh S. Legaré.

⁵¹ Hammond's "Diary," under date, December 22, 1844, &c., &c., in Library of Congress.

in person. At the very next session (second of the 24th Congress), the petitions appeared once more, and in such numbers as to be referred to as "the mass of petitions on the table." Calhoun again spoke in regard to them.⁸² He maintained of course his already asserted views and added that members now began to see the verification of what he had told Buchanan a year earlier, in reply to the urgency to receive and then at once reject and so avoid a contest over the right of petition. I then said, he went on, that the reception would quickly lead to a reference to a committee, and indications of this plan are already to be seen. If we again yield, still another step forward will be made by the abolitionists, and little by little our positions of advantage be yielded until the final consummation of their wishes. This course must end in disunion, which we are anxious as its friends to avoid.

The petitions were soon disposed of by laying on the table the question of reception by a vote of 31 to 13, Calhoun voting with the Ayes. They were hence not received, as the Caln one had been at the prior session, and it should be added that the chair had, apparently of its own motion, ruled in these later instances that a mere objection required a vote on the question of reception.

On the whole, Calhoun had fared better than he had anticipated. He had expected⁸³ to stand alone on the question of refusing to receive but had some support from Southern men even in the Caln case, and the Senate soon came, by a method slightly different from that which he had proposed, to keep all petitions after the first one from being received. From that time on, this was the case, and, though petitions continued to be presented in later years in the Senate and were at times discussed with bitterness, yet the upper chamber never saw

⁸² "Works," Vol. II, pp. 625-33. Congressional Debates, Vol. XIII, Part 1, 1836-37, pp. 710, 711, and *ibid.*, Part 2, pp. 2184-2188. At once upon the tabling of the question of reception of the first "mass of petitions," about forty more were presented, nor were even these the last to appear on that day; but all were shelved by the same course of parliamentary law.

⁸³ So he writes in his "Autobiography," p. 58. On the other hand, he wrote to his brother-in-law in another vein on September 23, 1835: "I see my way clearly on the slave question and do not fear an entire triumph on our own conditions."

such wild scenes of disorder upon the subject as long rendered the House a veritable bear-garden.⁵⁴

The course of events upon the general subject at the session of 1837-38 must be shortly examined. Some of the usual petitions were early presented, but not very much discussion arose until Swift of Vermont offered a memorial from the Legislature of his State in regard to Texas and slavery in the District. Here was a new phase of the matter, for it was impossible for the supporters of State rights to refuse to hear and consider what a sovereign State had to say on the subject, but Calhoun was far from being non-plussed and on the contrary used the opportunity to press the matter further and "force the issue." He first asked postponement for a few days, as the matters involved were new and unexpected, and Swift withdrew the memorial for the time. After the lapse of eight days, Calhoun then offered on December 27 a series of six resolutions as to the nature of the government and its consequent duties and powers in regard to slavery, saying that his purpose was to make a test question on the general principles involved and in this way meet the Vermont memorial.

It is evident that these resolutions were drawn and introduced by him with the purpose of forcing the Van Buren wing of the party,—he had then been supporting the administration for more than a year—to put itself distinctly on record before the Southern members would continue to act with them. Other like declarations were, as will be shortly shown,⁵⁵ extracted from them at about this same time and later; and Calhoun wrote on February 4, 1844, that they formed in effect a part of the pledges which were then extracted and adds that with this very purpose he "moved a set of resolutions . . . as strong as I could draw them."⁵⁶

The resolutions were discussed at considerable length for

⁵⁴ As late as 1846, the established practice was followed and the motion for reception at once laid on the table. "Congressional Globe," Twenty-ninth Congress, First Session, p. 486. Not until the struggles of 1850 over slavery, I think, was this departed from in the Senate, the motion to table defeated, and the petition referred to a committee. See *infra*.

⁵⁵ See *post*, pp. 159, 260.

⁵⁶ "Correspondence," pp. 562, 564, 573.

some two weeks,⁸⁷ and Calhoun wrote on January 24, 1838, that "the debate was close and animated throughout, with crowded galleries from morn to night." He spoke very often and agreed to numerous amendments, while refusing others which he thought gave up essential points. He was especially urgent in opposing any compromise on the main matter, and the following quotation, in this connection, may serve to show how he would at times drive a point home and hammer at it with insistent repetition.

These two great principles, non-interference and non-discrimination, are, as he has often said, the basis of his resolutions; and they comprehend *all*, districts and territories, as well as the States themselves. These were broad, and deeply seated in the constitution, and no member has ventured to deny them. Our salvation depended on preserving them inviolate. These, he would repeat, were the high constitutional grounds assumed in his fifth resolution, which had been surrendered for *inexpediency*! The Senator from Kentucky tells us, if we should meet the abolitionists on these grounds, we must come to a direct issue. That was what he desired. He sought a plain and direct issue on constitutional principles, not with them, but with this body; and such an issue was the only safe and solid ground on which the Senators even from the non-slaveholding States can meet abolition at home. The Senator from Michigan . . . is right. The constitution — no interference — no discrimination. These are the grounds on which the battle may be safely fought. You must tell these deluded fanatics, you have no right to intermeddle

⁸⁷In the House, early in the session, there had been a great turmoil in regard to slavery. Slade had obtained the floor by some inadvertence of the Speaker (so Adams writes) on a motion to refer a petition against slavery in the District, and then proceeded to discuss the general subject, and when at length he was forced to take his seat and an adjournment carried, "most, if not all, of the South Carolina members had left the hall" and formal notice of a meeting of the slaveholding members in a committee-room had been given (John Quincy Adams's "Memoirs," Vol. IX, pp. 453, 454: and see "Congressional Globe," Twenty-fifth Congress, Second Session, p. 41). For this meeting Rhett had prepared, but did not offer a motion to amend Slade's resolutions by adding others "declaring that the constitution having failed to protect the South in the peaceable possession and enjoyment of their rights and peculiar institutions, it was expedient that the Union should be dissolved" and that a committee of two members from each State be appointed to report upon the best means of peaceably accomplishing that end. The Charleston "Mercury," January 30, 1838.

in any form or shape, and that while you accuse others of sin and immorality, you yourselves are guilty of both in such intermeddling.⁵⁸ Inexpediency! Think of the folly of attempting to resist the powerful impulses that urge them on to the work of destruction with so feeble a word! You might as well think of extinguishing a conflagration that mounted to the clouds, by throwing a bucket of water on it. Expediency, concession, compromise! Away with such weakness and folly! Right, justice, plighted faith, and the constitution: these, and these only, can be relied on to avert conflict. These have been surrendered for "*inexpediency!*"

In the end, six resolutions were passed by votes of approximately 31 to 10, bearing in general the purport of what had been offered by Calhoun. The chief alteration was that the Senate laid on the table⁵⁹ his sixth resolution, which asserted a solemn duty on the part of all the States and of the Senate in particular to resist all attempts at discrimination between the States, and hence drew the conclusion (with a view of course to Texas) that to refuse to increase the limits of the slave States by the annexation of new territory "under the pretext that slavery, as it exists among them, is immoral or sinful, or otherwise obnoxious, would be contrary to that equality of rights" of the States, etc., etc. The fifth resolution, also, asserting shortly and evidently with a view to the Vermont Memorial, that the intermeddling of any State or its citizens to abolish slavery in the District or any territory would be a dangerous attack on the institutions of all the slaveholding States was substituted⁶⁰ by two much longer ones,

⁵⁸ The "higher law" of later days was old enough, except in the formulation of the name. Thomas Cooper wrote Hammond on February 12, 1836: "The idea of these New England theologians that their notions of religious duty are to supersede all law, is quite inconsistent with the well-being of civil society, and elevates every ignorant fanatic into an irresponsible dictator." Hammond Papers, in Library of Congress.

⁵⁹ This was done on the motion of Calhoun's colleague, Preston, who maintained that the subject would come up better under resolutions already introduced by him for the annexation of Texas.

⁶⁰ Calhoun was much displeased at the fate of the 5th and 6th resolutions and thought it was due primarily to the Presidential rivalries of Clay and Van Buren, both of whom sought the support of the section in which he did not live and hence was anxious to avoid all conflicting questions between the sections. Preston's course was, in Calhoun's opinion, very ungenerous and unpatriotic. Letter of January 24, 1838, to Armistead Burt, "Correspondence," pp. 388, 390.

There was no other point at issue except that the word State

in the fifth resolution the scope of this fifth resolution was enlarged to include in favor any such action by Congress. On the vote the resolutions passed were immensely strong. The Senate had passed the resolution upon this test question and the free-pressing majority but also most plainly stated that "domestic slavery . . . composes an important part of their [Southern States] domestic institutions, existing from their ancestors and existing at the adoption of the Constitution . . . and that no change of opinion, or feeling, on the part of the other States of the Union in relation to the slavery of their citizens in open and systematic manner, with the view to its overthrow; and that all such actions are in manifest violation of the mutual and solemn pledge to protect and defend each other, given by the States respectively . . . and as such are a manifest breach of trust and a violation of the most solemn obligations."

In the discussion not a little was said by Calhoun among others of the danger of disunion, and he was attacked for this view because there was greater "danger to the Union in the violation of all its fundamental principles" than in the act of secession of those who foretold the danger. And this was then said in Cassin-like strain perhaps, but with a certain prophetic note for mortal man and in deep pathos in the growth of affairs:

As clear as the noonday sun, the fatal consequences which must follow, if the present disease be not timely removed. We would repeat again what he had so often said on the floor. This was the only question of sufficient magnitude to divide the Union; and divide it, it would, or plunge the country in blood, if not arrested. . . . It had pleased Heaven that he should be in the slaveholding States. There were no other States so dear and dear to him. His first duty was to them, and he held every other, even his obligations to this Government and the Union, as sacred as he regarded them, subordinate to their safety. He knew he would be assailed, both

here and elsewhere, for this avowal; but he had long been accustomed to such assaults. They had no terror for him.⁶¹

At one time, in 1838-39, Calhoun and some others expressed hopes that the abolition agitation had been stemmed, but the feeling, if it really existed, was built on a very unsubstantial foundation. Early in Van Buren's administration, however, the friends of the president were forced to put themselves on record as to both abolition (as shown above) and the tariff,⁶² in order to secure the support of Calhoun's friends, and they did so very strongly, but opinions expressed in this way are not more than skin-deep and can be easily shed. They did express themselves, however, twice, once in the vote on Calhoun's just mentioned slavery resolutions of 1837-38, and again at the close of that same session.

In the latter instance, the Republican members united in a long address to the people of the United States,⁶³ in which many public subjects were discussed. In regard to abolition, the address took what Calhoun called "elevated ground," maintaining of course that Congress had no power at all as to slavery in the States, and equally denying the right to abolish in the District of Columbia, with a view to abolition in the States. And in this connection the address asserted that it was not material to inquire as to the powers over slavery in the District, for, whatever they might be, they were only to be exercised "in subordination to the known objects for which they are granted." The faith impliedly plighted to Maryland and Virginia was also mentioned.

At the opening of the session of 1838-39, too, Atherton of New Hampshire presented in the House a series of five reso-

⁶¹ "Works," Vol. III, pp. 140-202, where his resolutions as offered and some account of the discussion are given. Congressional Globe, Twenty-fifth Congress, Second Session, pp. 34-40, 50, 55, 56, 59, 60, 73, 74, 80, 81, 91, 96-98. The resolutions as adopted are printed at p. 98, and much of the debate is to be found in the "Appendix" in the same volume.

⁶² See *infra*, p. 260.

⁶³ Niles's "Register," Vol. LV, pp. 4-8. I think Calhoun's hand can even be recognized in some of the forms of expression contained in this paper. He wrote two correspondents in 1844 in regard to the real cause for issuing the address, and added that his resolutions of 1838 were a part of the same declaration of faith demanded by his friends from the supporters of Van Buren. Letters to Robert M. T. Hunter and to Francis Wharton in "Correspondence," pp. 562, 564; see also p. 573.

lutions upon the general subject and aimed strongly against any interference with slavery either in the District or the States. These were all soon carried by large majorities. A little later (February 7, 1839), Clay offered in the Senate a memorial from citizens of the District "remonstrating against the interference of the citizens of other parts of the country in the subject of slavery in the District," and he expressed strongly his own like feelings. Calhoun then arose and referred to these various signs with great pleasure. He hoped the agitation was controlled and spoke in particular of how the anti-abolition cause had advanced since his resolutions of about a year before.⁶⁴

But of course this hope, or perhaps rather this effort to create public opinion, turned out to be merely one more instance of the vanity of human wishes. The conservatives of the North could not control the influences, which were sweeping on towards abolition, and the agitation soon began again to show its power. The presentation of abolition petitions, never for any length of time of much success in the Senate, wore itself out in the House also upon the abrogation of the rule for their suppression, but quickly other means of attack were found and the struggle continued to grow in violence down to the tragic end.

All this history has to be gone into at length here, for it is vital in a Life of Calhoun, and the general subject came to occupy his attention ever more and more. During the discussions of its various phases, he uttered many thoughts, which doubtless often portray to us his inmost feelings, but perhaps we must also at times allow a little for the heat of argument and for the effect of the half-conscious feeling that he was vainly struggling against fate. The Union he loved and strove to save could probably not have been saved at the same time with slavery.

The following from his already quoted speech⁶⁵ upon the general subject at the session of 1836-37 must be quoted to show some of his views as to broad questions of public af-

⁶⁴ "Congressional Globe," Twenty-fifth Congress, Third Session, pp. 23-28, 177.

⁶⁵ "Works," Vol. II, pp. 625-633.

fairs, while in the last part of it is to be found another note of prophecy destined to be in part realized only some years after his death. Here are the words:

I hold that in the present state of civilization, where two races of different origin, and distinguished by color, and other physical differences, as well as intellectual, are brought together, the relation now existing between the two, is, instead of an evil, a good — a positive good. . . . I hold, then, that there never has yet existed a wealthy and civilized society in which one portion of the community did not, in point of fact, live on the labor of the other. . . . The devices [to accomplish this end] are almost innumerable, from the brute force and gross superstition of ancient times, to the subtle and artful fiscal contrivances of modern. I might well challenge a comparison between them and the more direct, simple, and patriarchal mode by which the labor of the African race is, among us, commanded by the European. I may say with truth, that in few countries is so much left to the share of the laborer, and so little exacted from him, or where there is more kind attention paid to him in sickness or in infirmities of age. . . .

Be assured that emancipation would not satisfy these fanatics: — that gained, the next step would be to raise the negroes to a social and political equality with the whites; and that being effected, we would soon find the present condition of the two races reversed.

The language used as to slavery being a positive good was interpreted by some⁶⁶ who followed him in the debate (Rives of Virginia, among others) as meaning in the abstract and without reference to the surrounding circumstances in the South, to which of course by all rules of interpretation his words must be referred, and in the later course of the debate he answered these critics as follows:

. . . He denied having expressed any opinion in regard to slavery in the abstract. He had merely stated, what was a matter of fact, that it was an inevitable law of society that one portion of the community depended upon the labor of another portion, over which it must unavoidably exercise control. He had not spoken of slavery in the abstract, but of slavery as existing where

⁶⁶ And has ever since been so interpreted by many.

two races of men, of different color, and striking dissimilarity in conformation, habits and a thousand other particulars were placed in immediate juxtaposition. . . . [And he] declared it as his conviction that, in point of fact, the Central African race (he did not speak of the north or east of Africa, but of its central region) had never existed in so comfortable, so respectable, or so civilized a condition, as that which is now enjoyed in the Southern States.⁶⁷

At about this same date, he said in another speech upon the subject:

. . . A mysterious Providence had brought the black and the white people together from different parts of the globe, and no human power could now separate them. The whites are an European race, being masters; and the Africans are the inferior race, and slaves. He believed that they could exist among us peaceably enough, if undisturbed, for all time. . . . He believed that the very existence of the South depended upon the existing relation being kept up, and that every scheme which might be introduced, having for its object an alteration of the condition of the negro, was pregnant with danger and ruin. . . .⁶⁸

The following words, too, must be quoted in the same connection, as showing how clearly he foresaw some of the tendencies of the contest then arising, no matter how mistaken he may have been in his views of the permanent and hopeless ruin the revolution he feared would bring to his home region:

Unless it [abolition agitation] be speedily stopped, it will spread and work upwards till it brings the two great sections of the Union into deadly conflict. This is not a new impression with me. Several years since, in a discussion with one of the Senators from Massachusetts (Mr. Webster)⁶⁹ before this fell spirit had

⁶⁷ Congressional Debates, Vol. XIII, Part 1, 1836-37, p. 718.

⁶⁸ Congressional Debates, Vol. XIII, Part 1, 1836-37, p. 566. As strong an abolitionist as John Bright, notwithstanding the fact that he lived three thousand miles away from the issue, appreciated at first the dangers of freeing the slaves and wrote to Sumner on September 6, 1861, that some in England said that if the war were for liberating the slave, they could sympathize with the North, and then goes on, "I cannot urge you to this course, the remedy for slavery would be almost worse than the disease." Trevelyan's "Bright," pp. 310, 311. Of course at a later date, as the contest went on, Bright changed this view.

⁶⁹ Calhoun made this same statement again in 1838 in the speech on

shown itself, I then predicted that the doctrine of the proclamation and the force bill — that this Government had a right in the last resort to determine the extent of its own powers, and to enforce it at the point of the bayonet, which was warmly maintained by that Senator — would at no distant day arouse the dormant spirit of abolitionism. . . . The consequence would be inevitable — a large portion of the Northern States believed slavery to be a sin, and would believe it to be an obligation of conscience to abolish it, if they should feel themselves in any degree responsible for its continuance, and that his doctrine would necessarily lead to the belief of such responsibility. . . . However sound the great body of the non-slaveholding States are at present, in the course of a few years, they will be succeeded by those who will have been taught to hate the people and institutions of nearly one-half of the Union with a hatred more deadly than one hostile nation ever entertained towards another. It is easy to see the end. By the necessary course of events, if left to themselves, we must become, finally, two peoples. It is impossible, under the deadly hatred which must spring up between the two great sections, if the present causes are permitted to operate unchecked, that we should continue under the same political system. The conflicting elements would burst the Union asunder, as powerful as are the links which hold it together. Abolition and the Union cannot co-exist. As the friend of the Union, I openly proclaim it, and the sooner it is known the better. The former may now be controlled, but in a short time it will be beyond the power of man to arrest the course of events. We of the South will not, cannot surrender our institutions. . . .⁷⁰

Still another question turning on slavery cropped up late in the second session of the Twenty-fourth Congress, but did not assume a very formidable aspect. Three small vessels, — The *Comet*, the *Encomium*, and the *Enterprise*, — flying our flag and engaged in the coasting trade, were either driven by stress of weather into West Indian ports controlled by

his resolutions as to slavery; "Works," Vol. III, p. 152. I am not aware that the statement appears in the printed debate with Webster, and the nearest approach to it that I can find is to be seen in "Works," Vol. II, pp. 308, 309, also see p. 296. Perhaps it was said in conversation.

⁷⁰Congressional Debates, Vol. XIII, Part 2, 1836-37, pp. 2185, 2186. "Abolition and the Union cannot co-exist" is not so far removed from Lincoln's famous dictum of 1858 that "a house divided against itself cannot stand."

Great Britain or wrecked on the coasts of the islands in question in 1831, 1833 and 1835. All three had slaves on board, who were being transferred to our Southwestern States with a view to settlement. The slaves were in each case set free by the authorities of the islands, and this action became a subject of diplomatic correspondence, but Calhoun thought the matter was not sufficiently pressed and introduced on February 7, 1837, a resolution calling for information. In his speech⁷¹ upon this resolution he complained that our Executive had been barely "tapping gently at the door of the British Secretary" to obtain justice, although the case was one absolutely clear under the law of nations and the vessels as much under our jurisdiction as if lying within our own ports. Great Britain, he said, could not adopt a doctrine leading in this way to the freeing of our slaves any more than we could undertake to abrogate her dominion over subject nations. The resolution did not come to a vote.

Again, in February, 1839, and in January, 1840, he offered resolutions asking information of the President whether or not compensation had yet been made in the cases in question and calling for the correspondence.⁷² On the latter occasion also, he introduced three resolutions on the general subject of ships on the high seas, setting forth the well-known principle that they remain in law a portion of the domain of the State to which they belong, subject to her jurisdiction exclusively, and specifying further that under the facts in the particular case of the *Enterprise*, "the seizure and detention of the negroes on board, by the local authorities . . . was an act in violation of the law of nations."

The resolutions were referred to the committee on Foreign Relations, reported back with a change in the language of the second one, and then adopted by 33 ayes to no noes. Calhoun had spoken in favor of the resolutions and thought the changes made of little moment. In this he was certainly right. The Senate of 1840 had thus very distinctly put itself on record as being of opinion that when a ship is forced by

⁷¹ "Works," Vol. III, pp. 9-14.

⁷² "Congressional Globe," Twenty-fifth Congress, Third Session, p. 162. *Ibid.*, Twenty-sixth Congress, First Session, p. 117.

unavoidable cause into the port of a friendly power, "she and her cargo, and persons on board with their property, and all the rights belonging to their personal relations, as established by the laws of the State to which they belong, would be placed under the protection which the laws of nations extend to the unfortunate under such circumstances."⁷³

Obdurate British diplomacy was, however, slow to recognize liability, and the representations made on our behalf long remained without result. But at length, in the latter part of Van Buren's administration, an indemnity to the amount of \$116,179.62 was paid in the cases of the *Comet* and *Encomium*, which had arisen in 1831 and in February, 1833. In that of the *Enterprise*, they refused to acknowledge liability, on the ground that it had occurred after their Act of August 28, 1833, for the abolition of slavery in the British Colonies, and the same ground was taken as to two other later cases, — the *Hermosa* and the *Creole*.⁷⁴

Once more, in 1842, Calhoun asked for information, — this time as to the case of the *Creole*, and what steps had been taken looking to the punishment of the guilty, "the redress of the wrong done to our citizens and the indignity offered to the American flag." The resolution was unanimously carried, and an answer came in but did not convey much information.⁷⁵ At the same session, too, was presented the petition of a New Orleans Insurance Company, which had been obliged to pay the insurance specified in its policy in the case of the *Hermosa*, under similar circumstances, and thus the subject became complicated by the intervention of large moneyed interests.⁷⁶

The ground of the British refusal in the case of the *Creole*

⁷³ *Ibid.*, pp. 233, 267, 320, 327, 328, 329. Calhoun's speech is in *ibid.*, "Appendix," pp. 266-270, or "Works," Vol. III, pp. 462-487.

⁷⁴ Moore's "International Arbitrations," Vol. I, pp. 408-411. The *Creole* case was more complicated than the others. The negroes on her had mutinied and killed some of the officers and then forced the mate to steer for Nassau, where (while the authorities were slowly acting toward the same end) they were released by a mob.

⁷⁵ "Congressional Globe," Twenty-seventh Congress, Second Session, pp. 110, 115, 116, 148, 203, 204, 240, 250.

⁷⁶ *Ibid.*, pp. 47, 48. "The Globe" calls this vessel the *Formosa*, but the name used in the text occurs everywhere else.

in person. At the very next session (second of the 24th Congress), the petitions appeared once more, and in such numbers as to be referred to as "the mass of petitions on the table." Calhoun again spoke in regard to them.⁵² He maintained of course his already asserted views and added that members now began to see the verification of what he had told Buchanan a year earlier, in reply to the urgency to receive and then at once reject and so avoid a contest over the right of petition. I then said, he went on, that the reception would quickly lead to a reference to a committee, and indications of this plan are already to be seen. If we again yield, still another step forward will be made by the abolitionists, and little by little our positions of advantage be yielded until the final consummation of their wishes. This course must end in disunion, which we are anxious as its friends to avoid.

The petitions were soon disposed of by laying on the table the question of reception by a vote of 31 to 13, Calhoun voting with the Ayes. They were hence not received, as the Caln one had been at the prior session, and it should be added that the chair had, apparently of its own motion, ruled in these later instances that a mere objection required a vote on the question of reception.

On the whole, Calhoun had fared better than he had anticipated. He had expected⁵³ to stand alone on the question of refusing to receive but had some support from Southern men even in the Caln case, and the Senate soon came, by a method slightly different from that which he had proposed, to keep all petitions after the first one from being received. From that time on, this was the case, and, though petitions continued to be presented in later years in the Senate and were at times discussed with bitterness, yet the upper chamber never saw

⁵² "Works," Vol. II, pp. 625-33; Congressional Debates, Vol. XIII, Part 1, 1836-37, pp. 710, 711, and *ibid.*, Part 2, pp. 2184-2188. At once upon the tabling of the question of reception of the first "mass of petitions," about forty more were presented, nor were even these the last to appear on that day; but all were shelved by the same course of parliamentary law.

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It is evident that these resolutions were drawn and introduced by him with the purpose of forcing the Van Buren wing of the party,—he had then been supporting the administration for more than a year—to put itself distinctly on record before the Southern members would continue to act with them. Other like declarations were, as will be shortly shown,⁵⁵ extracted from them at about this same time and later; and Calhoun wrote on February 4, 1844, that they formed in effect a part of the pledges which were then extracted and adds that with this very purpose he "moved a set of resolutions . . . as strong as I could draw them."⁵⁶

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I do not know how to argue against such contemptible sophistry. The occasion is too solemn for an argument of this kind. You are going to violate the constitution and you get rid of the infamy by a falsehood. You yourselves say that the resolution is expunged by your order. Yet you say it is not expunged. . . . But why do I waste my breath? I know it is all utterly vain. The day is gone; night approaches, and night is suitable for the dark deed we meditate. . . . This act originates in pure, unmixed, personal idolatry. It is the melancholy evidence of a broken spirit, ready to bow at the feet of power. The former act [removal of the deposits] was such a one as might have been perpetrated in the days of Pompey or Cæsar; but an act like this could never have been consummated by a Roman Senate until the times of Caligula and Nero.³

The management and disposition of the public lands were always vital questions in our earlier days, and in and about the thirties they came to assume a new feature. Simply vast purchases were then making from the Government, as a matter of speculation, and not by real settlers. What was the cause of this and how to curb it became problems for the public men of the day.

Calhoun always maintained⁴ that the Tariff Act of 1828 had given the first great impulse to an undue expansion of our currency. This was largely aggravated by the placing of the vast federal surplus in the "pet banks" after the removal of the deposits from the United States Bank, and then State institutions under most irresponsible control were soon greatly multiplied in numbers and our currency enormously increased with the result that prices of almost all articles rose with rapid strides.

But to this general increase in price, there was one exception. Much public land was always for sale at the fixed price of \$1.25 per acre, and the result was to turn to this ap-

³ Congressional Debates, Vol. XIII, Part 1, 1836-37, pp. 417-418. Calhoun wrote to Hammond, then in Europe, a month later (February 18, 1837): "No act within my recollection has excited such disgust and loathing as the expunging resolution. The party Senators in voting for it, looked more like culprits, than victorious leaders."

⁴ "Autobiography," pp. 55, 56. This view is elaborated in his speech of February 5, 1840, on Grundy's report as to the assumption of State debts, "Works," Vol. III, pp. 407-439.

parently low-priced article hosts of men who thought they saw millions of profit in its early rise. The facility of buying was amazing. The vast surplus on deposit with many banks throughout the country, and consisting in reality very largely of banknotes, was of course loaned out most readily by these callow institutions in the form of discounts or loans. They gave credit and received promissory notes in exchange, while the borrower took away with him banknotes which he soon converted into land. These banknotes, handed over to the proper Government agents, as the price of lands purchased, were quickly deposited again in bank and ready there once more to make another round in this endless-chain process of those days.

This and other causes led numbers of people to see that such a riotous course of living could not last long without disaster, and that crushing financial panic was hardly very far ahead. Among these, Calhoun was one. As early as 1834 he had seen the signs of danger, and in April, 1836, he said in the Senate that "the gulf into which they were rushing was before their eyes. The dreadful explosion was coming. The Senate would do him justice for predicting, in 1834, that the state of things would shake the country to the centre." He continued also to make like predictions now and then later.⁵

Benton, too, long foresaw the coming crash and was, moreover, much opposed to the sweeping away of the public domain by speculators. As a western man, land questions were always of vital moment to him, and at the session of 1835-36 he had tried to get through Congress a law to specify and limit the funds receivable for their purchase. The effort failed, but after the adjournment Jackson issued an Executive order to attain the same result. Benton was largely concerned in the issuance of this, drafted the order and says the authority for it was found in the specie resolution of 1816. It directed that the land offices should receive nothing but gold and silver in payment for lands, and was no doubt issued

⁵ Congressional Debates, Vol. XII, Part 1, 1835-36, pp. 1096, 1097. "Autobiography," p. 59.

with a good purpose, but the right of the Executive to originate such an order was very questionable.⁶

The "Specie Circular" was of course vehemently denounced, and when Congress came together again in December, 1836, efforts were made to rescind it. Calhoun characterized it as "unconstitutional, without law, without precedent, without any authority whatever,"⁷ and probably it contributed still further to his dread of the power and growing "centralism" of the Federal government. These causes seem to have been in great part those which led him at this time to advocate an entirely new policy as to the public lands.

Early in the session, Clay had introduced his almost perennial plan of distributing the proceeds of their sales, but the measure did not fare well on this occasion and came back from a select committee, with its purpose completely changed and designed instead to limit the sales very closely. This proposed substitute was then much discussed with many amendments offered and vast differences of opinion shown on all sides. Calhoun spoke upon the subject on February 4, 1837, and was of opinion with some other members that the bill was radically wrong and would by no means attain its purpose of cutting off the sales and thus reducing the surplus. He explained once more his idea of the underlying reasons and said that his views in regard to the lands had undergone a great change during the debate. He had come to the session with no thought of the conclusion at which he had now arrived.

The probable failure of the bill offered to curb the sales, the ever-increasing surplus and the vast power it conferred on an Executive already inspired to the full with a conviction as to the broad extent of its authority, the controlling influence exerted by the same branch of the government over eight or nine states through questions of land administration, in short what he called "the growing centralism," had led him to the change in question. "I have made up my mind," he said, "if a fair concession can be made, to concede the whole to the new States, on some fixed and well-considered condition. I

⁶ "Thirty Years' View," Vol. I, pp. 676-678.

⁷ Congressional Debates, Vol. XIII, Part 1, 1836-37, pp. 375, 376.

am for transferring the whole, on the condition that they shall pay us a certain per cent of the proceeds, and submit to the necessary limitations as to the mode of bringing the lands into the market." Later in the debate, in pursuance of this idea, he offered a substitute for the pending bill, providing for the cession of the lands to the States in which they lay, subject to certain regulations as to price and to the condition that they should pay to the United States one-third of the gross amount of sales.

"Cession" was a policy then much debated in land discussions, but others had far different plans from this of Calhoun's. Benton, the leader upon the subject from the West, objected at once and preferred to wait until the new census should be in operation, when, he said, the West could secure better terms, while Calhoun,—evidently addressing himself to the East and the South,—advanced this reason as a cause for immediate action. Indeed, this motive was evidently another leading one with him. The amendment received, however, but 7 votes, and when he later moved it as a substantive proposition, it was strongly opposed on second reading and finally laid upon the table by 26 to 20.

Some opponents spoke of the measure as an absolute gift, a "bribe" to the new States, and were evidently of the opinion that it was a mere bid for popularity by a presidential aspirant.⁸ Such motives are ever found by many as the controlling impulses of public men, and it must be left to the reader to form his own conclusion as to how much Calhoun was here acting under the spur of ambition and political interest, or to what extent Benton, on the other hand, was merely striving

⁸ John Quincy Adams, with his highly developed scent for evil motives on the part of others, found in all the land-measures of the day the bribe by which the wicked South sought to buy the support of the West. "Memoirs," Vol. IX, *passim*. See on this general subject Prof. Raynor G. Wellington's "The Public Lands from 1828 to 1833," ("Report Amer. Histor. Assocn., 1911," Vol. I, pp. 179-185), which suggests that Calhoun was perhaps led to his cession bills through his acquaintance with Gov. Edwards of Illinois, and refers to letters of Calhoun to Edwards in 1821-23 and 1831 ("History of Illinois 1778-1833," and "Life and Times of Ninian Edwards," by his son, N. W. Edwards, pp. 488-496; and The "Edwards Papers," edited by E. B. Washburne, Vol. III, Chicago Historical Society Collections, pp. 210, 211). Prof. Wellington thinks the Union of the South and West ended in 1832.

to maintain his great position as the leader of the West upon the subject. Human motive is much like a composite photograph in its make-up, but other reasons in plenty were present to guide both in the course they followed and in my opinion at least motives so ignoble were, at most, but very faint lines in the design in this case.

To the charge of self-interest, Calhoun at once answered, "As to popularity, I despise it. I would not turn on my heel to obtain it. It is a fleeting shadow, unworthy of the pursuit of an upright man. No, sir, I move here on a conscientious conviction of high and imperious duty"; and he said that his desire was to cut off a vast source of patronage and power and then went on once more that "the tendency of our system to centralism, with its ominous consequences, can be no longer denied. To counteract this its patronage must be curtailed. There are three great sources to which its immense patronage may be mainly traced, and by which the Government is enabled to exert such an immense control over public opinion,—the public lands, the post-office, and the treasury. The first may be entirely removed. This bill would cut it up root and branch."⁹ Such limitations of power had been a leading object with him for years, and in this instance he was distinctly following the same purpose, so we need not chase shadows flitting about in dark places in the effort to unearth low and selfish motives for the actions of a high-minded statesman.

In later years his course in regard to the public lands was much the same, and he generally opposed bills for pre-emption and reduction of price, thinking the true policy to be to hand the whole matter over to the States. He distinctly advocated this at the sessions of 1837-38, 1838-39, 1840-41 and at the special session of 1841, and introduced bills for the purpose in January, 1840, and again in December of the same year.¹⁰

⁹ Congressional Debates, Vol. XIII, Part I, 1836-37, pp. 20, 204, 278, 645, 701-706, 726-753, 760-777, 780-794. "Works," Vol. II, pp. 617-625, 634-652.

¹⁰ "Congressional Globe," Twenty-fifth Congress, Second Session, pp. 149, 304, 305; *ibid.*, Third Session, pp. 127, 130; *ibid.*, Twenty-sixth Congress, First Session, p. 96; *ibid.*, Second Session, pp. 40, 45, 95, 112; *ibid.*, Twenty-seventh Congress, First Session, pp. 313, etc., as per index. See also his speeches in "Works," Vol. III, pp. 134-139, 360-375, 532-560.

The bill of January, 1840, was referred to the Committee on Public Lands, and an elaborate favorable report made,¹¹ but it and all the measures Calhoun introduced failed to pass.

As late as 1846, too, he urged once more the same general opinions on a bill to graduate the prices of the public lands. He opposed this measure and said it was founded on a wrong principle. Their true course was to cede to the States in which they lie all the lands which had long remained unsold, after their price had been much reduced. They had no right, he said, to give away the lands, but his proposal then as before was for the United States to retain the right to a considerable portion of the profit from them and to regulate the terms of sale to a large extent by general provisions. Under the amendment he then offered, all unsold lands, the price of which had been reduced to 25 cents, were to be ceded to the States on March 4, 1859. The amendment was lost and the bill for graduation passed in the Senate, but it fell in the end between the two Houses.¹² This was, so far as I have found, Calhoun's latest expression of opinion on the subject, and his views were the same as those he had urged in 1837.

The admission of Michigan, too, came up during the Twenty-fourth Congress and serves to illustrate some of Calhoun's views of this and a later date. There had been a preliminary skirmish at the first session, but it went off mainly (so far as Calhoun was concerned) on the question whether or no a State had the power to make an alien a citizen. This question did not directly arise under the bill, which was to authorize the calling of a convention and to prescribe the qualifications of voters in the territory at that election, but under one of the pending suggestions it might have arisen, as Michigan had attempted to confer the right and the suggestion referred to described those authorized to vote as "the people of Michigan."

¹¹ Printed in "Calhoun's Works," Vol. V, pp. 208-242. This report was written by himself. He wrote to his daughter on May 30, 1840: "I sent Mr. Clemson and your uncle the report on my land bill. I suppose you will not be much at a loss in tracing the style and turn of thoughts to its author." Calhoun's bill is printed in *ibid.*, pp. 242-246.

¹² Congressional Globe, Twenty-ninth Congress, First Session, pp. 1040, 1041, 1057, 1058, 1069, 1073.

Calhoun's colleague, Preston, had, however, maintained clearly that a State could make an alien a citizen, and Calhoun's speech was mainly an answer to this opinion. Probably we may find here an evidence of that separation of Preston and himself, which soon became complete, though they had been close political friends since about 1826, at which time Cooper tells¹³ us that Calhoun won Preston over to his then views.

In this instance,—and it is not the only one in his later career,—Calhoun supported the Federal power and maintained that a State had no such right. Congress, he said, was given authority to establish a uniform law of naturalization and had done so, and the States could not render this provision nugatory by making aliens citizens and giving them the right to vote. Otherwise, they can authorize a direct control over the Federal Government by one who had no right even to claim its protection, and the unfortunate alien or citizen will in case of war be subject to most serious penalties for his actions, both from us and from the country to which he really belongs. The framers intended, he said, by the power in question to prevent competition among the States for immigration by holding out improper inducements and also to prevent too great influence upon public affairs by those who are in reality aliens. He objected, too, to the way in which the Michigan bill was pressed upon them and advanced so much faster than that for Arkansas, and said they might yet have the same difficulty about Arkansas which they had had in 1820 as to Missouri.¹⁴

But the real contest in regard to Michigan, in which Calhoun took an active part, arose at the Second Session of the Twenty-fourth Congress. The territory had, in pursuance of an act of Congress, adopted a constitution, and she had been admitted to the Union, subject to the condition that her people should by a convention assent to the boundaries established by the act. A convention had accordingly met at Ann Arbor but had refused to assent. Thereupon, a second and self-constituted assembly,—an “unauthorized and lawless as-

¹³ Letter of March 16, 1826, “American Historical Review,” Vol. VI, (1900-1901), pp. 728, 729.

¹⁴ “Works,” Vol. II, pp. 496-509.

semblage," as Calhoun called it,—had met and agreed to the prescribed boundary. It was said that the later convention represented a majority of the people, but Calhoun asserted that no one claimed for it over 8,000 votes and that it was impossible to maintain that this small number was a majority of the alleged population of 200,000.

The second convention was perfectly orderly, but had originated and been conducted without regard to the established government and laws of the State,—“spontaneously and in their primary assemblies,” as was said in the debate. Calhoun insisted¹⁵ that “there was at the bottom of this subject one of the gravest, the very gravest, questions which could be agitated,” and urged that the matter should be maturely considered. His motion to postpone to that day week (Thursday) was, however, lost and the bill made a special order for the following Monday. On that day (January 2) and again on third reading on the 5th he spoke against the bill in part as follows:¹⁶

Congress has no right whatever to call a convention in a State.¹⁷ . . . Michigan is a State—a State in the course of admission. . . . She can come into the Union only as a State, and by her voluntary assent, given by the people of the State in convention, called by the constituted authority of the State. To admit the State of Michigan, on the authority of a self-created meeting, or one called by the direct authority of Congress, passing by the authorities of the State, would be the most monstrous proceeding under our Constitution that can be conceived; the most repugnant to its principles, and dangerous in its consequences. It would establish a direct relation between the individual citizens of a State and the General Government, in utter subversion of the federal character of our system. The relation of the citizens to this Government is through the States exclu-

¹⁵ Congressional Debates, Vol. XIII, Part 1, 1836-37, pp. 167, 168. The main facts are also borne out by J. Q. Adams; “Memoirs,” Vol. IX, pp. 335, 341, 342.

¹⁶ “Works,” Vol. II, pp. 586-617, and see Debates *ut ante*, pp. 172, 204-211, 294-305, 325.

¹⁷ Buchanan had argued that the Second Convention was quite legal under the terms of the Act of Congress, which called for “the assent of a convention of delegates elected by the people of said State, for the sole purpose of giving the assent herein required.”

sively. They are subject to this authority and laws only because the State has assented they should be. . . . If we give our sanction to the assemblage of December, on the principle laid down by the Senator from Pennsylvania, then we establish the doctrine that Congress has power to call, at pleasure, conventions within the States. Is there a Senator on this floor who will assent to such a declaration? Is there one especially, who represents the smaller states of this Union, or the weaker section? Admit the power, and every vestige of State Rights would be destroyed. . . . Is there one that does not feel that it was neither more nor less than a *mere caucus*—nothing but a *party caucus*—of which we have the strongest evidence in the perfect unanimity of those who assembled? Not a vote was given against admission. . . . These occurrences [the proceedings in Michigan, the effort in Maryland to call a State Convention without compliance with the requirements of the established laws,¹⁸ and the Baltimore Convention by which (as Calhoun and others maintained, under the countenance and authority of Jackson, who was thus naming his successor) Van Buren had been nominated for the Presidency] . . . mark the commencement of no ordinary change in our political system. They announce *the ascendancy of the caucus system over the regularly constituted authority of the country*. I have long anticipated this event. . . . It was my fortune to spend five or six years of my youth in the northern portion of the Union, where, unfortunately, the system has so long prevailed. Though young, I was old enough to take interest in public affairs, and to notice the working of this odious party machine, and, after reflection, with the experience then acquired, has long satisfied me that, in the course of time, the edicts of the caucus would eventually supersede the authority of law and constitution. . . . If you wish to mark the first indications of a revolution—the commencement of those profound changes in the character of a people which are working beneath before a ripple appears on the surface,—look to the change of language. You will first notice it in the altered meaning of important words. . . . The remarks of the Senator will illustrate what I have said. He told us that the terms “convention of the people” were of very uncertain meaning, and difficult to be defined;—but that their true meaning was *any meeting* of the people in their individual and primary character for political purposes.

¹⁸ See McMaster's “United States,” Vol. VI, pp. 371–375.

. . . According to their old meaning (and which I had supposed was its legal and constitutional meaning) a convention of the people invariably implied a meeting of the people, either by themselves, or by delegates expressly chosen for the purpose, in *their high sovereign authority*,—in express contradistinction to such assemblies of individuals in their private character, or having only derivative authority. . . . I understood the Senator from Pennsylvania (Mr. Buchanan) as holding language countenancing the principle, that the will of a mere numerical majority, is paramount to the authority of law and constitution. He did not, indeed, distinctly announce this principle, but it might fairly be inferred from what he said.

The result was that the bill to admit the State passed the Senate by the vote of 25 to 10, was approved by the House and signed, and the new Senators sworn in.¹⁹ Benton writes ²⁰ that there was a partisan issue in this matter, Michigan being well known to be in favor of Van Buren, but this must refer to an earlier stage of the contest, for at the time of Calhoun's opposition the election was over and Van Buren's election known.

By this time, in what may perhaps be called the early part of the second stage of his career, Calhoun's tendency to adhere strictly to the Constitution and to decline to do what its specific terms did not authorize had become very marked, and at this same time, too, questions bearing on slavery had assumed vast proportions. How much the latter led to the former, to what extent he was influenced as to constitutional questions by a conviction that the South could not safely consent to any extension of federal power which even might tend later to authorize interference with Southern slavery, cannot be determined, but he was already drifting rapidly into the position of one who felt that his great duty on earth was to protect his section at this point. At the same time as to constitutional questions, he was but a marked instance of those hosts of our earlier public men who had grown up to reverence the Constitution and to feel that a violation or unauthorized extension of it was a violation of honor and of an oath.

¹⁹ Congressional Debates, Vol. XIII, Part 1, 1836-37, pp. 325, 559.

²⁰ "View," Vol. I, pp. 637, 638.

At the session of 1835-36 this tendency on his part came out in several instances. He wanted to limit narrowly a bill to grant relief to sufferers by a fire in New York,²¹ doubted strongly the power to contract for a work on the documentary history of the Revolution,²² and on a bill to refund certain moneys to some corporations in the District of Columbia he said:²³ "he had heard this debate with infinite pain. It appeared to him as if he was living in the last state of a corrupt age. He wished to know if his constituents were to be taxed to pay this money. There was no constitutional power to give the money." He opposed, too, the steps taken for accepting the bequest of James Smithson, saying that there was no power to establish a university and that

. . . Acting under this legacy would be as much the establishment of a national university, as if they appropriated money for the purpose. . . . He thought it was beneath the dignity of the United States to receive presents of this kind from any one.²⁴

Again in 1836-37, a resolution was pending to appropriate \$30,000 for the purchase of the manuscripts left by Madison. Calhoun opposed it, chiefly on constitutional grounds. It seems from the debate that Mrs. Madison was left in easy circumstances, but the will had charged several legacies aggregating \$12,000,—among them one to the Colonization Society,—upon these papers, and it turned out that no publisher would pay enough for them to cover the legacies. Mrs. Madison being unwilling to run the risk of herself publishing, had in this difficulty applied to the President, who recommended that Congress should purchase the manuscripts.

Calhoun objected that the proposed purchase was in reality nothing else than "an appropriation by Congress to pay the legacies in Mr. Madison's will," and he stated that the papers would be published in any event, for the sum of \$5,000 had been offered for them. But his chief objection was the constitutional one. Where, he said, is the power given to Con-

²¹ Congressional Debates, Vol. XII, Part 1, 1835-36, pp. 115-117.

²² *Ibid.*, Part 2, pp. 1408, 1409.

²³ *Ibid.*, Part 1, p. 469.

²⁴ Congressional Debates, Vol. XII, Part 2, pp. 1376, 1378.

gress to publish such a work, and, in answer to the precedents of the exploring expedition and others, his reply was that the practice had been very loose, but that we must look rather to the Constitution. Madison himself had, in his celebrated Report of 1799, insisted that appropriations could not be made unless authorized by a specific provision, and we should do nothing to show a want of respect for him or his sentiments. Calhoun's views were much opposed by several members,—by his colleague Preston for one,—and the resolution was carried by 32 to 14.²⁵ The final result at that session was that the civil and diplomatic appropriation bill carried an item of \$30,000 for the purpose. Again, at the next session, \$5000 was appropriated for printing the papers, but there is nothing to show Calhoun's course in this instance, though it may probably be assumed that he voted against it. In 1848, when a further sum of \$25,000 was appropriated for the purchase of the remaining Madison Papers, he voted against it but did not speak again.²⁶

Toward the end of the second session and near the close of Jackson's Presidency, Calhoun had a clash with the President. During the debates on the Land Bill, he was reported in the *Globe* (the new organ)²⁷ to have said that it was notorious that "the President himself had been connected with the purchase of the public lands." Jackson then, without inquiry of Calhoun or any one except a couple of reporters who bore out the report, wrote Calhoun a letter which would have been insolent from an Eastern Emperor to a slave. It teemed with

²⁵ Congressional Debates, Vol. XIII, Part 1, 1836-37, pp. 858-72; *ibid.*, Part 2, "Appendix," p. 98; "Works," Vol. III, pp. 36-42.

²⁶ Acts of March 3, 1837 (Congressional Debates, Vol. XIII, Part 1, 1836-37, "Appendix," p. 20); of July 9, 1838, Peter's Statutes at Large, Vol. III, pp. 309-10; and of May 31, 1848, *ibid.*, Vol. IX, p. 235. See also in the connection the Act of October 14, 1837; *ibid.*, Vol. III, p. 205.

²⁷ "The Congressional Globe," Second Session, Twenty-fourth Congress, p. 153 distinctly so reports him, while the "Debates" make him say simply: "Is not one in the immediate neighborhood of the Executive among those the most deeply concerned?" (Vol. XIII, Part 1, 1836-37, p. 703). The "Globe" had, in 1835, intimated that, if Lawrence, who tried to murder Jackson, had read one of Calhoun's speeches, he would have found ample justification; and Calhoun had replied in a few words that "however degraded its character might be" it was yet the organ of the Executive and that things had surely gone very far, when members could not criticize. Congressional Debates, Vol. XI, Part 1, 1834-35, pp. 275, 276.

expressions such as: "You cannot but be aware, sir, that such imputations, if true, ought to cause my impeachment;" "I am aware, sir, of the constitutional privilege under which you act;" "I ask you, sir, as an act due to justice, honor and truth, to retract this charge on the floor of the Senate, in as public a manner as it has been uttered, or to place it before the House with a view to my impeachment. And in the event of your doing neither, I shall, before I leave the city, give publicity to this letter, by which you will stand stigmatized as one who, protected by his constitutional privilege, is ready to stab the reputation of others, without the magnanimity to do them justice or the honor to place them in a situation to receive it from others."

Two days later, Calhoun answered this extraordinary communication in the Senate and said it had excited in his bosom "the mingled feelings of pity for the weakness of its author, contempt for his menace, and humiliation that one occupying the office which he does should place himself in a situation so unworthy of his exalted station. Nor do I intend to invoke the interposition of the Senate to protect the privilege attached to a Senator from one of the sovereign States of this confederacy, which has been outraged in my person." He then went on, without denying specifically the use of the language in question (which of course he had not used), to repeat as closely as he could what he had actually said, and reiterated every word of it.

Evidently the utterance which had been so perverted was that which he now repeated from memory in the following words:

It has been frequently stated, and not contradicted that many in high places are among the speculators in the public lands, and that even an individual connected with the President himself, one of his nephews, was an extensive adventurer in this field of speculation. I did not name him, but I now feel myself called upon to do so. I mean Mr. McLemore.²⁸

When Calhoun closed, Grundy and Walker stated that they

²⁸ This gentleman was said by Grundy not to be either a nephew or any blood relation of Jackson's, but only a relative by consanguinity.

had been attentive listeners at the time and corroborated the correctness of Calhoun's repetition of what he had said, whereupon he expressed his gratification and ended by saying:

. . . All might now see from their statement, and the acquiescence of others, what little cause the President had for the outrage upon his privilege and that of the Senate, and for applying language to him which is never used in intercourse between gentlemen, and better suited to the purlieus of Billingsgate than to the mansion of the Chief Magistrate.²⁹

Calhoun had evidently reason to be satisfied with the outcome of the matter and wrote Hammond on February 18th:

My triumph was complete. His friends in the Senate hung their heads in dum[b] silence.

²⁹ "Works," Vol. III, pp. 1-9, and Congressional Debates, Vol. XIII, Part 1, 1836-37, pp. 753-60. Clay, also, in effect bore out Calhoun, and was very severe on Jackson.

CHAPTER VI

VAN BUREN'S PRESIDENCY

The Financial Panic — The Special Session — Sub-Treasury Proposed — Calhoun Supports it — Denounced by Whigs — Conflicts with Clay and Webster — Efforts against him in South Carolina — His overwhelming Triumph — Party Methods of the Day — Calhoun's Views on other great Questions of Public Policy — Resumption of Personal Relations with Van Buren.

PRIOR pages have shown that there had long been intense rivalry between Calhoun and Van Buren in regard to the Presidency,—and have shown, too, the steps by which the former had been thrust aside and Van Buren singled out as the successor of Jackson. The disappointment was very severe, especially as the prize had seemed certain to come to Calhoun. He was, moreover, convinced that the result had been brought about by methods, not only of an underhand nature, but of a character very harmful to our institutions. In his opinion, Jackson was the chief power in the matter and had forced the nomination of Van Buren by an unsparing use of the power and pelf of the Executive office.

As early as 1834, comparatively early in Jackson's second term, Calhoun spoke¹ of the process of "setting up a new organ, composed of officeholders and partisans, under the name of a National Convention, which, counterfeiting the voice of the people, will, if not resisted, in their name dictate the succession"; and a year later, in the spring of 1835, *The United States Telegraph*, which was so close to him,—and doubtless other anti-Van Buren papers as well,—began to harp on the string of Jackson's appointing his successor and

¹ Speech of January 13, 1834, on the Removal of the Deposits, "Works," Vol. II, pp. 338, 339.

calling on the people to ratify. When, at length, in May of that year, Van Buren was unanimously nominated by the Convention at Baltimore, thus called together a whole year in advance of any need,² and that body signified its determination "to get there" by methods not then much known in American politics, the opposition was loud in denunciation, the *Telegraph* insisting, and perhaps here not going beyond the truth, that of the one thousand members of the convention, eight hundred were office-holders.³

All this, of course, served to increase Calhoun's feeling of hostility to his successful rival, and the breach between them, already complete,⁴ deepened. In at least two instances, he was in a high degree personal in remarks made in the Senate. Thus, on February 17, 1836, when the lines of battle were drawn but the election still months ahead, Calhoun said, in speaking of Jackson's great popularity and bold character that "his nominee had none of these recommendations; he is not . . . of the race of the lion or tiger; he belonged to a lower order,—the fox."⁵ Van Buren was perhaps not actually in the chair at the time, but he was presiding, when on January 5, 1837, after his triumphant election, he was thus addressed by Calhoun. Addressing the Vice-President, Mr. Calhoun said:

Sir, duty compels me to speak of facts intimately connected with yourself. In deference to your feelings as presiding officer of this body, I shall speak of them with all possible reserve. . . . The caucus at Baltimore . . . dignified by the name of a convention of the people . . . was got up under the countenance and express authority of the President himself; and its edict, appointing you his successor has been sustained,—not only by the whole power and patronage of the Government, but by his active personal influence and exertion. . . . For the first time the President has appointed his successor. . . . If left to your own popularity,—without the active and direct influence of the President and the power and patronage of the Government, acting through a mock convention of the people,—instead of the high-

² Schouler's "United States," Vol. IV, p. 199.

³ "United States Telegraph" of May 22, 1835. See also *passim*, March to May.

⁴ They were not on speaking terms, "Calhoun Correspondence," p. 445.

⁵ Congressional Debates, Vol. XII, Part 1, 1835-36, p. 555.

est, you would, in all probability, have been the lowest of the candidates.*

South Carolina did not support Van Buren for the presidency in 1836, the Legislature casting her vote for Mangum⁷ and Tyler, neither of whom had any chance of election. Van Buren was chosen by a safe majority over all the other candidates, and was duly inaugurated on March 4, 1837; but troubles came quickly to his administration. The long course of financial recklessness, in which the general public, the monied men, and the government had been indulging for a number of years,—according to Calhoun's doubtless correct opinion, reaching back to a time anterior even to the term of the President on whom our histories so often charge the entire fault,—resulted soon in the oncoming of a financial panic's blight, and in May, 1837, the banks in general suspended payment. And the Government's finances were so closely intertwined with these institutions that their management quickly came to be well-nigh impossible.

A special session was called on May 15, to meet in the beginning of September; and the officials struggled hard meanwhile to keep the governmental machine afloat and obey the provisions of the laws. One of these forbade the deposit of government money in any institution which did not redeem its notes in specie. When, then, in the spring and summer, all the depositaries but four stopped specie payment, the *divorce* became a fact and the officials were hard pressed to find a legal way of disposing of the funds. By the time Congress came together on September 4, one of the failing banks had resumed, and, after due inquiry, only one other had been found that paid its notes, so that there were for a time only four available depositaries and only six in September. Under the power of these facts, the Sub-Treasury had grown into being and was already, in its main outlines, an established agency in our system. Like many another piece of govern-

* "Works," Vol. II, p. 608.

⁷ The Legislature first resolved almost unanimously against voting for any one of the Presidential candidates, but doubts arising whether a State could vote blank, the name of Mangum was inserted. Charleston "Mercury," December 8, 1836.

mental machinery, it did not owe its origin to a statute intended to create it.

The governmental receipts had been kept, so the Secretary of the Treasury wrote in his report in September, in part "in special deposit in this city, a portion of it in the mint and the residue with the officers collecting it until it was wanted for public purposes or [until there was more on hand than was likely to be there wanted, when it was] placed with banks not remotely situated and in special deposit for safety, until wanted." The Secretary proposed to provide for the new system by enlarging the powers of existing government officers, or by establishing a body of commissioners or receivers general to keep and disburse.⁸

Van Buren's message, too, was to the same general effect. Cool, collected, and without popular clap-trap, so that even the many enemies of the Magician have been forced to admire its tone, it told the story simply enough, at once and entirely discarded all idea of creating a new national bank, and recommended that the mode existing since May should be continued, but suggested further that certain additional duties should be placed on the public officers. Here was a recommendation destined to be for many years of vital importance in our public affairs, and capable, too, of splitting parties asunder to no little extent.

Prior pages have shown that in January, 1834, Calhoun had been strongly inclined to what has since come to be known as the Sub-Treasury, and was then often spoken of as the "Divorce,"—meaning the entire separation of the Government from all connection with banks. It was called by Calhoun in his speech of 1834 "a resort to the strong box"; and the bill of 1837 upon the subject was entitled simply "a bill imposing additional duties as depositaries in certain cases." Calhoun had, it is true, a few months later in 1834, rather abandoned the idea of an independent treasury and had advocated the renewed use of a national bank; but this seems to have been done with the plan of bridging over an interval and

⁸ "Congressional Globe," Twenty-fifth Congress, First Session, "Appendix," pp. 1-8.

because it was at that time impossible to secure any other method, and he appears even then, as has been shown, to have had in mind the ultimate establishment of a system by which the Government itself should keep and pay out its funds without any connection with banks.

Here was, then, at the special session of 1837, a state of affairs with new and doubtful policies in the arena, such as not only placed Calhoun, so long the enemy of Van Buren, in a position of no little difficulty as to the course he should follow and its effect on the public belief in the purity of his motives, but equally gave him vast power as one standing apart, a member of neither of the great parties but probably likely to carry with him numbers of other men. He knew in advance the abuse that was sure to be heaped upon him, but history will certainly find that his course was not only high and honorable, but that he dared to enter upon it with his eyes wide open and without any effort to secure favors in return.

The panic had not been unexpected to him, and he wrote^o later that he at the time regarded the occasion as the first that had ever offered an opportunity for divorcing the Government from all connection with the banks. His mind was, he goes on, soon made up as to the course he should pursue, and "he made known his determination to a few confidential friends long before the call of the extraordinary session, and resisted decidedly all attempts to influence him to support a national bank." When he went on to Washington for the extra session in the fall, he was resolved to await the development of the views of the two great parties, before publicly announcing his own, and then to act accordingly. He listened attentively, he says, to the reading of the President's message, and at once made up his mind that he would give it his support. Such is his own account in outline of a step of great importance in his career. We shall soon see that it is strongly borne out by other evidence, and the course which he followed was, after all, the only one that could be expected of him after his past beliefs and actions.

^o "Autobiography," p. 60.

The session met on September 4th. On the 5th the Message came in, and only two days later Calhoun's private letters,—one to his daughter and one to his brother-in-law,—show conclusively that his mind was already made up. To the former, he wrote:

My position is one of great delicacy, and will require consummate prudence with decision and boldness. It causes much speculation; but I think I see my way clearly. It puts me in a position much more congenial to my feelings, than that which I have occupied for the last few years. It was impossible for me to go with the leaders of the nationals. We disagreed on almost all points except resistance to Executive usurpation. We could not part on a point better for me, than the one on which we now separate. I stand now on my own bottom, with no influence acting on me but a rigid adherence to those great principles, for which I have made so many sacrifices.

To his brother-in-law and political aid he defined his views more fully, as follows:

Things are doing well here. Van Buren has been forced by his situation and the terror of Jackson to play directly into our hands and I am determined, that he shall not escape from us. We have now a fair opportunity to break the last of our commercial shackles. I mean the control which the North through the use of Government credit acting through the banks, have exercised over our industry and commerce. How wonderful, that the author of the Safety fund system and the favourite of New York (the State above all others the most benefitted by the Union of bank and state) should be forced by circumstances, which he could not control, to give the fatal blow to his own offspring and supporters! Into what situation may not an artful but short-sighted politician be forced?

I have taken my stand. I go against the chartering of a United States bank, or any connection with Biddle's, or any other bank. I go in a word for a complete separation from the whole concern. So far I have come to a fixed determination. Beyond that I wait for development; and shall come to no conclusion, till I see the whole ground. We will divide. My colleague [Preston] as I understand him, goes for Biddle's bank and will probably take a portion of the Representatives with him.

Like divisions will probably run throughout all the States, and I would not be surprised, if an entirely new organization of parties should rise out of the present state of things.

Very soon rumors began to flit about that Calhoun intended to act with the administration in regard to the separation from banks proposed by it and thus bring to an end his temporary union of action with the Whigs. All the political world, doubtless, talked of this coming event,¹⁰ and denunciation was evidently rampant. Nor can we much wonder at this, when the past relations of the two leaders chiefly concerned are borne in mind, and in view of the fact that Calhoun had thought,¹¹ and probably said openly, as recently as March 22, that Van Buren would be crushed. Most of the attacks upon him on this account have long since turned to mould, but probably many were as bitter and absurd as John Quincy Adams's reference to "Calhoun's bargain and sale of himself to Van Buren, at the commencement of this session."¹² They evidently had, however, their sting, and on September 15 the *Alexandria Herald*, a well-known journal of the day, published a letter from Calhoun in which he referred to the endless calumnies and the uselessness of noticing them and added:

I live but to carry out the great principles for which I have been contending since 1824. . . . In their defence, I have acted with and against every party, without blending with any. Mr. Van Buren has been driven into a position favorable to their advancement, and shall I not avail myself of the opportunity which it affords me to accomplish my object? Shall I permit him to drive me from my position, because he has been driven on it?¹³

To his daughter, he once more summed up the state of affairs on September 30 by writing:

My situation was extraordinary. I held the fate of the country, by the confession of all, in my hand.

¹⁰ "Autobiography," p. 60, and see "Roscoe" in the Charleston "Mercury," December 8, 1836.

¹¹ "Correspondence," p. 370.

¹² "Memoirs," Vol. IX, p. 398.

¹³ Referred to, and in part quoted, in Niles's "Register," Vol. LIII, p. 33.

And then he detailed once more the reasons which so plainly made it impossible for him to act with the Whigs.

Silas Wright was the financial spokesman of the administration, and he quickly brought in bills for the issue of Treasury notes, to postpone the deposit of the 4th instalment of the (now vanished) surplus with the States, and on September 14, a bill to legalize and regulate what has since been known as the Sub-Treasury. Calhoun was not slow to let his position be known. Indeed, since the reading of the Message, rumors had been circulating that he would support the intended measure, and he now confirmed these. On the very day the Sub-Treasury bill was introduced he took occasion to say during the discussion of the bill to postpone the payment of the 4th instalment:

He had come here with a full and fixed determination to do his duty despite of all personal considerations and party feelings. . . . He had been looking forward with the most intense anxiety for the remedy which would be proposed. Fixing two great points in his mind, he had observed the most strict reserve until he saw the plan of the administration. Having now seen it, he felt that the only feature in the Message, and in the report of the Secretary of the Treasury, which gave character to the present bill, was to be abandoned.¹⁴

Here was a bombshell indeed in the political arena. To the Whigs, it plainly foreshadowed an early end to the union of recent years between them and Calhoun, while to the administration it showed that the expected support of the great South Carolina leader was not to be given to their plan as then unfolded. His views were still further developed two days later (September 16) during the discussion of the bill for issuing Treasury notes. He was not satisfied, he said,¹⁵ with the bill, nor could he be

. . . Until it should be perfectly understood as to what was to

¹⁴ "Autobiography," p. 60. "Congressional Globe," Twenty-fifth Congress, First Session, "Appendix," p. 9. He was evidently contrasting the recommendations of the President's Message with the plans brought in by the administration leaders in Congress.

¹⁵ Congressional Debates, Vol. XIV, Part 1, 1837, pp. 47, 48: or "Globe," Twenty-fifth Congress, First Session, pp. 35, 36. The Debates contain the better report.

be done in reference to the great point of separating the Government from the banks. . . . As the law now stood, the Secretary of the Treasury would be compelled to receive the notes of all specie-paying banks; and if there should be a resumption of specie payments, all the notes of all the banks would be received. . . . He should feel himself compelled to move an amendment to it [evidently meaning the Sub-Treasury bill]. . . . If a separation was to be made, now was the acceptable time. And if the opportunity was not now embraced, perhaps it never would be. . . . Upon the great point of the separation between the banks and the Government, his opinion had long been made up.

This instance furnishes a striking example of Calhoun's power to grasp a complicated situation and follow out the working of its thousand details under differing circumstances. The Message had clearly enough pointed to a permanent separation from the banks; but the leaders then brought in a bill which would beyond doubt, under the provisions of the Act of 1816 for the acceptance of the notes of specie-paying banks, have resulted in a re-establishment of the connection, at once upon the resumption of specie payments. They had presumably not foreseen this result, for it cannot be supposed that they designed so to vary from the Message and to introduce again the union with banks. Calhoun, on the other hand, on whom the function of drawing administration bills did not then fall, saw the defect at once and forced the leaders to remedy it. We shall find, too, that in the later stages of the long Sub-Treasury fight he stubbornly insisted upon the retention of a clause to modify the act of 1816, with a view to soon putting the operations of our Treasury entirely upon specie. He may thus in one sense be said to have been the author of the system, for without his specie clause the main design of Divorce would certainly have failed.

Interest was now intense,¹⁶ and an adjournment over Sun-

¹⁶ A correspondent wrote the "Baltimore Merchant" from Washington on Monday the 18th that the Senate had adjourned on Saturday, to allow Calhoun to prepare his amendment and adds: "I have been familiar with the proceedings of congress for many years, and have never witnessed a deeper anxiety to hear any debate in either house. At an early hour, both galleries were full to overflowing." Quoted in the Charleston "Mercury," September 27th.

day was at once carried to allow Calhoun to prepare his amendment. Accordingly, on Monday, the 18th,¹⁷ he spoke at length upon the general subject of the financial situation and outlined the amendment to the Sub-Treasury bill, which he proposed to offer when it should come up. His plan was to make annual reductions of one-fourth in the proportion of notes of specie-paying banks which might be accepted, so that after January 1, 1841, "nothing but the legal currency of the United States, or bills, notes or paper issued under their authority" should be received for dues, but he added that he was opposed to all harsh or precipitate measures and was quite willing to extend the time, if it was thought necessary. "The period," he said, "is of little importance, so that the object be effected."

The speech was a very clear history of the growth of our then financial condition and presented well the various alternatives of action that were possible for the Government to take. Nor did he fail to indicate plainly enough to friend and foe what would probably be his course in a merely political sense thereafter. His very last words, immediately after referring to the struggles of recent years against Executive encroachments in which he had acted with the Nationals or Whigs, were:

That terminated, we part with our late allies in peace, and move forward — lag or onward who may — to secure the fruits of our long but successful struggle, under the old republican flag of 1798, which, though tattered and torn, has never yet been lowered, and, with the blessing of God, never shall with my consent.

One can almost hear Clay and the Whigs gnash their teeth; but the blow was too recent for them as yet to attack their late ally and try to flay him.

The Sub-Treasury Bill came up on September 20th, and Calhoun at once offered his amendment, which was accepted

¹⁷ Both the "Appendix" to the "Globe" (Twenty-fifth Congress, First Session, "Appendix," pp. 32-37) and "Calhoun's Works," (Vol. III, pp. 60-92), give this speech as made on the 19th, but this is an error. "The Congressional Globe" proper has the 18th as its date, and the Congressional Debates (Vol. XIV, Part 1, 1837, pp. 50-66) and the "National Intelligencer" of the 19th and 20th settle the point absolutely.

by Wright after Calhoun had agreed to some modifications. During the debate that followed, there were but few outbursts of temper. Perhaps the situation was too palpably serious for much mere wrangling. Benton, Calhoun and Rives clashed slightly at one time, Rives saying, with evident reference to the hostility of recent years between the two first-named, that if Benton (who sat immediately behind Calhoun) would look forward, he would see "*his* file-leader," while Calhoun maintained his own entire consistency. In another instance, Clay spoke bitterly of a Senator he had known who had "introduced the subject of the re-charter in the Senate and supported it with great ability, and in three weeks afterwards applauded and extolled the veto. Where is he now?"¹⁸

Calhoun spoke upon the bill and his amendment on October 3rd, reviewing at some length the origin and history of the banking system in general, as well as its course in our country, with portions of which he had been so intimately connected; and at the end he once more spoke of the course he intended to follow and added:

I know full well the responsibility I have assumed. . . . If the administration recommend what I approve on this great question, I will cheerfully give my support; if not, I shall oppose.

His amendment was then soon carried by 24 to 23, and the bill passed by 25 to 23, only to be laid upon the table in the House on October 14 by 120 to 107.¹⁹

Calhoun had supported the two other leading financial measures of the administration, both of which became laws,—(1) the bill to postpone the deposit of the 4th instalment with the States and (2) that for the issue of Treasury notes. They were loudly called for by the deplorable state of the Government's finances. He had also spoken in favor of the Report of the Finance Committee that a prayer presented for a national bank ought not to be granted. Doubtless his course was the subject of constant attack in the public prints, and he

¹⁸ "Congressional Globe," Twenty-fifth Congress, First Session, pp. 44, 45, 49, 50, 53-55, 60-63, 67, 68. The "changeable Senator," to whom Clay referred, was at that time abroad on a splendid mission.

¹⁹ *Ibid.*, pp. 96, 97, 141. Calhoun's speech of October 3 is in *ibid.*, "Appendix," pp. 121-126, and in "Works," Vol. III, pp. 102-133.

evidently felt the difficulties of his position, for he again used this occasion to explain himself and so clearly that parts of it must be quoted. He was, he said:

. . . Master of his own move, and acknowledged connection with no party but the State rights party and the small band of nullifiers; and acted either with or against the administration or the national party, just as it was calculated to further the principles and policy which we of that party regarded essential. . . . [Their object] had been *accomplished*. Executive usurpation had been arrested. The Treasury was empty and . . . *the Jackson party — they had run out*. . . . Could he, a member of the State rights party, hesitate what course he should pursue in so remarkable a juncture? It was as clear as the noon-day sun. We are the sworn enemy both of the Executive and Legislative usurpation. . . . Was it for him to join the friends of the tariff — of a National Bank, and the whole system of Congressional usurpations, and utterly break down his old friends of 1827, who had taken shelter under his position,— and thus give a complete and final victory to his old opponents of that period, and with it a permanent ascendancy to them and their principles and policy, which, he honestly believed, could not but end in consolidation, with the loss of our liberty and institutions? ²⁰

This speech was made after some slight collision with his colleague Preston, who supported a national bank and became a full-fledged Whig and active partisan of Clay. Preston tried to carry South Carolina on this issue, and was soon entirely estranged from his friend of so many years and such trying scenes. He entirely and most hopelessly failed in his effort ere long, but at the outbreak had no little success. All the members of the House from South Carolina except Pickens went with him at the start and voted against the Sub-Treasury. And Pickens wrote²¹ later that he had himself thought at the time that the old Union party would be against the measure and would secure a majority, and leave "Mr.

²⁰ "Works," Vol. III, pp. 96-101. "Congressional Globe," Twenty-fifth Congress, First Session, pp. 32, 36-38, 41, 73-76.

²¹ Letter of March 17, 1840, to James H. Hammond in the Hammond Papers in Library of Congress. "Congressional Globe," Twenty-fifth Congress, First Session, pp. 73-76, 141. All the South Carolina members of the House (except Rhett, not voting), voted in favor of tabling the Sub-Treasury bill passed by the Senate.

Calhoun in a minority in our State. Things looked like it." Hamilton, too, was against Calhoun on this issue and favored a plan (later urged by Rives in the Senate), which may serve to show how full of uncertainty after all the question was at the start and how acute Calhoun's political sense was in at once discarding such designs and taking up the measure destined to succeed and to stand the fierce buffetings of time for many years and on the whole with such eminent success. The *Charleston Mercury*,—and probably the same could be said of nearly all the newspapers,—simply floundered in hopeless ignorance, of course supporting Calhoun, but in the very same breath opposing and ridiculing "Mr. Gouge's sub-Treasury."²²

Calhoun at once, of course, with the customs of public men, looked upon Hamilton as not "sound" on this point and then went on to describe to a correspondent the views which Hamilton had outlined to him and to indicate how to meet the movement which he already, soon after the close of the special session, saw clearly enough would be made to unhorse him in South Carolina. He gives, too, some little picture of the political methods of the day when he writes:

On this point I did not find the General so sound. He expressed himself decidedly opposed to a national bank but equally as much so to the Divorce. His plan is a Union of ten of the strongest of the state banks to be selected by the General Government and to be made their fiscal agent and the instrument of restoring specie payment; Biddle's Bank of course to be one—a plan in my opinion still more objectionable than a national bank. He professed great personal regard, but I infer from his conversation that there will be a vigorous effort made in this State in favour of his views, and against the divorce, which must be counteracted, and in which you must take an active part. The first point will be to secure the members of the legislature. Every one of your members ought to be seen and secured on the opposite side. You must be at Abbeville on sale day next and see and converse with all of them, who may be out and the rest ought to be written to.

The next will be to secure prominent and influential individuals,

²² The *Charleston "Mercury,"* October 7. See also the issue of the 11th, and of September 8, 11, 12, 18, 21.

and McDuffie in particular. They are making great efforts to secure him. He was perfectly sound, when I saw him at my house, a short time before I set out for Washington, and I hope is still so; but he is liable to be acted on by men inferior to himself; and I must request you to see him as early as convenient to confirm him in the faith, if sound, and if not to bring him right.

I am gratified to learn that all in this neighborhood are right as far as my information extends; and that such is also the case as far as I could learn through the entire line of my route home with the state rights party. There never was so favorable an opportunity to break the last shackles on our industry and to unite the entire South. It must not be lost.²³

The battle was thus on, and was evidently at first serious. In a short time (November 3rd) Calhoun wrote a letter declining an invitation to a public dinner at Edgefield,—a letter in which he outlined his view of recent events. They of the State Rights party had been acting with the National Republicans since 1833, he said, against Executive power, but at the late session it had become apparent that their united efforts

. . . Had brought down the lofty pretensions of the Executive department. He then saw, so he went on, that it would soon be necessary to decide whether or not to continue their union with the national republicans. It was clear that their united forces could overthrow those in power, "but it was not less clear that the victory would enure, not to us, but exclusively to the benefit of our allies and their cause."

These last words were perhaps carelessly written and were destined soon to be quoted against him as being ultra partisan and having reference exclusively to the loaves and fishes, but they import no such meaning and the use of the expression "their cause" shows plainly that he had in mind the great Whig *policies*, such as the tariff and centralization in general. He had therefore, so he concluded, acted as he did with a full realization of his responsibility and knowing that

²³ Letter dated, "Fort Hill, October 27, 1837," to James Edward Calhoun, in "Correspondence," pp. 381, 382.

he would be misrepresented. I desire neither office nor power, and only a deep sense of duty led me to act as I did.²⁴

The measures taken by Calhoun were soon crowned with success and show the vast power that he wielded in South Carolina. He was in Columbia on December 10, during the session of the Legislature, and wrote:

Public sentiment is very sound here. My course will be sustained by a triumphant majority say 3 or 4 to 1. This speaks well for the intelligence and patriotism of the state.

Three resolutions were shortly passed, to the effect that "it is expedient that the revenues of the federal government be so collected as ultimately to sever the government from all connection with the banks," and declaring against the creation of a national bank or the use of the government funds in banking operations. The main one secured in the lower house a majority of very nearly ten to one, while the smallest majority was over six to one.²⁵

Hamilton offered a long series of eleven resolutions embodying his plan, and declaring against both a National Bank and the Sub-Treasury. These resolutions favored the use of a small number of State banks, but were laid on the table by 37 to 3, and their author, according to Petigru, "stood alone" on them. The only somewhat gloved hand that the mangled Preston felt in this instance is to be found in a fourth resolution, moved by Albert Rhett as an addition to the original three, that it was not intended by these "to imply any manner of censure upon other public servants of the State," who may have declared opinions to the contrary. Even this, we shall find, did not stand long upon the record against the all-powerful Calhoun, and we must to a large extent agree with Petigru's conclusion that "the unanimity here is too great, unnatural. Mr. Calhoun's triumph is too great, for

²⁴ Letter to the Edgefield "Advertiser," reprinted in Niles's "Register," Vol. LIII, pp. 217, 218, and in the Charleston "Mercury," November 24, 1837.

²⁵ Niles's "Register," Vol. LIV, p. 247. The Charleston "Mercury," December 14 and 18, 1837. The aggregate vote on the three resolutions in the two Houses was respectively 141 to 12, 148 to 5, and 131 to 21.

he has crushed his own lieutenants. Hamilton's . . . State influence is gone."²⁶

But the victory and the course of the leader were far from passing without criticism, and soon the newspapers began to charge Calhoun with having completely changed his views. As they put it, he had been guilty of a "summerset." In August, while on the way to the special session of Congress, they asserted, he had expressed himself as disapproving of the Sub-Treasury and had said that they must have the deposit with the States of the 4th instalment, even if they should take it in rags. Calhoun of course denied *in toto* the charge as to the Sub-Treasury, and in regard to the deposit admitted freely that he had been in favor of distribution, but added that his vote resulted from a condition not contemplated at the time of the conversation; he had soon found in Washington that far from there being any surplus on hand, the Treasury was so short of funds that taxes would have been necessary to raise the money, while the object of the act had been to get rid of an *unavoidable surplus*.²⁷

Congress met again in regular session on the first Monday of December, 1837, and Calhoun took his seat on the 18th. He wrote on December 24:

. . . The action of our State on the Divorce has made a deep impression out of the State, and will do much to rally the South on our position. It has added much to my strength, and means of serving the country.

We are on our oars here. Nothing will be acted on until after 1st January.

On the 16th of that month, Wright again brought in a bill "to impose additional duties as depositaries upon certain public officers, to appoint Receivers General of Public Money,"

²⁶ Charleston "Mercury," December 14, 16, and 19, 1837. Petigru's letter, dated December 17, 1837, and evidently written at Columbia (he was a member of the House) to Legaré, printed in "The Life and Times of James L. Petigru" by Joseph Blyth Allston in the Charleston "Sunday News" January 21 to June 17, 1900; number of June 10.

²⁷ Niles's "Register," Vol. LII, pp. 282, 283, quoting Southern newspapers, some letters against Calhoun, and his letter of December 26, 1837, to the "National Intelligencer."

etc. Incorporated in it was a clause, adopting in essence Calhoun's specie amendment of the special session. The latter, of course, supported the bill, and on February 15 addressed the Senate upon the subject at length "in a speech of great power and more than usual animation," as the *Globe* informs us. The result at this session was that the Senate struck out the specie section, against Calhoun's earnest opposition, and he then announced that he could no longer support the bill, and his name was accordingly among the Noes when it passed the Senate on March 26 by 27 to 25. But then the House laid it on the table and finally, on June 25, rejected it by 111 to 125. Calhoun wrote that the friends of the "Divorce" in the House would stake the fate of the bill on the specie section and that this placed him on high grounds.²⁸

By this time, the terms used in later days were coming to be often applied to the bill, and we find the "Independent Treasury Bill" assigned as a special order in Congress and the word "Sub-Treasury" used. A clash, too, of much fame in its day and still well-known to students, was coming on between Calhoun and other giants of the Senate. On the last day of January he and Clay had a little brush, and probably others occurred, for on February 7 he wrote his daughter:

Mr. Clay is very impudent, and I expect to have a round with him.

Doubtless, Clay had the same design, and his brilliant audacity led him, according to a choice piece of the classical jargon of that day, to "carry the war into Africa." On February 19, four days after Calhoun's leading speech upon the Sub-Treasury, he spoke to the measure, but had far more to say of Calhoun's recent course than of the pending bill. Calhoun's Edgefield letter figured largely and was eloquently held up to scorn as a base admission that pap and patronage were its author's leading object in all his moves upon the question.

²⁸ "Congressional Globe," Twenty-fifth Congress, Second Session, pp. 109-12, 184, 259, 264, 265, 267, 478, 480. Calhoun's chief speeches are to be found in *ibid.*, "Appendix," pp. 188-195, 265, 266, and in "Works," Vol. III, pp. 202-243, 330-337. "Calhoun Correspondence," pp. 395-396.

Calhoun at once took the floor and announced in a few words that he would ere long reply fully, while to his daughter he wrote on the 24th: "I intend to give him as good as he sent." The duel between the mighty leaders was watched with deep interest by the public and was spoken of in the journals of the day as "the war of the giants."²⁹ Calhoun's answer was delivered on March 10 before a packed house,³⁰ and certainly carried out his promise. If his own recent change of political allies was one that required explanation to the ignorant,—and one that of course bore to politicians on the other side the appearance of a personally interested step on his part,—any knowledge of his career would have convinced the impartial that it was but the fruition of views long held and openly expressed, and absolutely certain to be taken by him at some early date. It was palpably impossible for a low-tariff South Carolinian, dreading for his section the already vast power of the central government, to stay long in unison with the centralizing Whig party, whose helm was so much under the control of the brilliant but erratic father of the American system.

Clay's career was, moreover, so open to criticism, with its changes of faith and frequent speeches and policies for buncombe, that it was dangerous and unspeakably audacious for him to attack a man who had beyond doubt gone through one great change in the very fundamentals of his political belief and hence in a thousand of the questions of policy, which were but corollaries of the main point, but whose career had followed only and exclusively these two great leads. One who so attacks a leading opponent and rakes over the old ash-heaps of political slander and alleged venality, should be very sure that his own skirts are clear and his own virtue as pure as that of Cæsar's wife.

²⁹ Calhoun's "Autobiography," p. 62, the Charleston "Mercury," March 27, April 24, 1838. The "Mercury" refers to the later duel of Calhoun and Webster.

³⁰ The "Mercury" of March 14 prints a letter of March 10 from its Washington correspondent, who writes: "I have rarely seen so great a crowd in and around the Senate chamber. So many members of the House were present that, it being found impossible to get and keep a quorum for business, the House adjourned."

Calhoun touched upon much of this as well as reviewed his own public career, but it would be impossible to give a clear idea of the general course of the debate except by copious extracts from the speeches and answers of both contestants, and the following report of samples of Calhoun's answer, taken from his leading speech of March 10th, must suffice: ³¹

The Senator next proceeded to state that, in a certain document (if he named it, I did not hear him), I assigned as the reason why I could not join in the attack on the administration, that the benefit of the victory would not inure to myself or my party; or, as he explained himself, because it would not place myself and them in power. I presume he referred to a letter in answer to an invitation to a public dinner offered me by my old and faithful friends and constituents of Edgefield, in approbation of my course at the extra session.

(Mr. Clay: "I do.")

The pressure of domestic engagements would not permit me to accept their invitation; and, in declining it, I deemed it due to them and myself to explain my course, in the political and party bearing, more fully than I had done in debate. They had a right to know my reasons, and I expressed myself with the frankness due to the long and uninterrupted confidence that had ever existed between us.

Having made these explanatory remarks, I now proceed to meet the assertion of the Senator. I again take issue on the fact. I assigned no such reason as the Senator attributes to me. I never dreamed nor thought of such a one; nor can any force of construction extort it from what I said. No: my object was not power or place, either for myself or party. It was far more humble and honest. It was to save ourselves and our principles from being absorbed and lost in a party more numerous and powerful, but differing from us on almost every principle and question of policy.

When the suspension of specie payments took place in May last (not unexpected to me), I immediately turned my attention

³¹ Clay's speech of February 19th, attacking Calhoun, is to be found in the "Congressional Globe," Twenty-fifth Congress, Second Session, "Appendix," pp. 614-619; and Calhoun's answer of March 10 in *ibid.*, pp. 176-181, or in "Works," Vol. III, pp. 244-279. The late discussion between them on the same day is not contained in the "Globe," but much of it is reproduced by Benton in his "Thirty Years' View," Vol. II, pp. 97-118, probably from the newspapers of the day.

earnestly to the event, considering it as one pregnant with great and lasting consequences. Reviewing the whole ground, I saw nothing to change in the opinions and principles I had avowed in 1834, and I determined to carry them out as far as circumstances and my ability would enable me. But I saw that my course must be influenced by the position which the two great contending parties might take in reference to the question. I did not doubt that the opposition would rally either on a National Bank or a combination of State banks, with Mr. Biddle's at the head; but I was wholly uncertain what course the administration would adopt, and remained so until the message of the President was received and read by the Secretary at his table. When I saw he went for a divorce, I never hesitated a moment. Not only my opinions and principles, long entertained, and, as I have shown, fully expressed years ago, but the highest political motives, left me no alternative. I perceived, at once, that the object, to accomplish which we had acted in concert with the opposition, had ceased; Executive usurpations had come to an end for the present; and that the struggle of the administration was no longer for power, but to save themselves. I also clearly saw, that if we should unite with the opposition in their attack on the administration, the victory over them, in the position they occupied, would be a victory over us and our principles. It required no sagacity to see that such would be the result. It was as plain as day. The administration had taken position, as I have shown, on the very ground I occupied in 1834, and which the whole State Rights party had taken, at the same time, in the other House, as its journals will prove. The opposition, under the banner of the Bank, were moving against them, for the very reason that they had taken the ground they did.

Now, I ask, What would have been the result if we had joined in the attack? No one can now doubt that the victory over those in power would have been certain and decisive, nor would the consequences have been the least doubtful. The first fruit would have been a National Bank. The principles of the opposition, and the very object of the attack, would have necessarily led to that. We would have been not only too feeble to resist, but have been committed, by joining in the attack with its avowed object, to go for one, while those who supported the administration would have been scattered to the winds. We should then have had a bank — that is clear; nor is it less certain that, in its

train, there would have followed all the consequences which have, and ever will follow, when tried — high duties, overflowing revenue, extravagant expenditures, large surpluses; in a word, all those disastrous consequences which have well nigh overthrown our institutions, and involved the country in its present difficulties. The influence of the institution, the known principles and policy of the opposition, and the utter prostration of the administration party, and the absorption of ours, would have led to these results as certainly as we exist.

I now appeal, Senators, to your candor and justice, and ask, Could I, having all these consequences before me, with my known opinions, and that of the party to which I belong, and to which only I owe fidelity, have acted differently from what I did? Would not any other course have justly exposed me to the charge of having abandoned my principles and party, with which I am now accused so unjustly? Nay, would it not have been worse than folly — been madness in me to have taken any other? . . . But, in so premeditated and indiscriminate an attack, it could not be expected that my motives would entirely escape, and we accordingly find the Senator very charitably leaving it to time to disclose my motive for going over! I, who have changed no opinion, abandoned no principle, and deserted no party; I, who have stood still and maintained my ground against every difficulty, to be told that it is left to time to disclose my motive! The imputation sinks to the earth, with the groundless charge on which it rests. I stamp it, with scorn in the dust. I pick up the shaft, which fell harmless at my feet. I hurl it back. What the Senator charges on me unjustly, *he has actually done*. He went over on a memorable occasion, and did not leave it to time to disclose his motive. . . . But I saw before me the path of duty; and, though rugged and hedged on all sides with these and many other difficulties, I did not hesitate a moment to take it. Yes, *alone*, as the Senator sneeringly says. After I had made up my mind as to my course, in a conversation with a friend about the responsibility I would assume, he remarked that my own State might desert me. I replied that it was not impossible; but the result has proved that I under-estimated the intelligence and patriotism of my virtuous and noble State. . . . But the Senator did not confine his attack to my conduct and motives in reference to the present question. In his eagerness to weaken the cause I support, by destroying confidence in me, he made an indiscriminate

attack on my intellectual faculties, which he characterized as metaphysical, eccentric, too much of genius, and too little common sense, and, of course, wanting a sound and practical judgment.

Mr. President, according to my opinion, there is nothing of which those who are endowed with superior mental faculties ought to be more cautious than to reproach those with their deficiency to whom Providence has been less liberal. The faculties of our mind are the immediate gift of our Creator, for which we are no further responsible than for their proper cultivation, according to our opportunities, and their proper application to control and regulate our actions. Thus thinking, I trust I shall be the last to assume superiority on my part, or reproach any one with inferiority on his; but those who do not regard the rule when applied to others, cannot expect it to be observed when applied to themselves. The critic must expect to be criticized, and he who points out the faults of others, to have his own pointed out.

I cannot retort on the Senator the charge of being metaphysical. I cannot accuse him of possessing the powers of analysis and generalization, those higher faculties of the mind (called metaphysical by those who do not possess them) which decompose and resolve into their elements the complex masses of ideas that exist in the world of mind, as chemistry does the bodies that surround us in the material world; and without which those deep and hidden causes which are in constant action, and producing such mighty changes in the condition of society, would operate unseen and undetected. The absence of these higher qualities of mind is conspicuous throughout the whole course of the Senator's public life. To this it may be traced that he prefers the specious to the solid, and the plausible to the true. To the same cause, combined with an ardent temperament, it is owing that we ever find him mounted on some popular and favorite measure, which he whips along, cheered by the shouts of the multitude, and never dismounts till he has ridden it down. Thus, at one time we find him mounted on the protective system, which he rode down; at another, on internal improvement; and now he is mounted on a bank, which will surely share the same fate, unless those who are immediately interested shall stop him in his headlong career. It is the fault of his mind to seize on a few prominent and striking advantages, and to pursue them eagerly, without looking to consequences. Thus, in the case of the protective system, he was

struck with the advantages of manufactures! and, believing that high duties was the proper mode of protecting them, he pushed forward the system, without seeing that he was enriching one portion of the country at the expense of the other; corrupting the one and alienating the other; and, finally, dividing the community into two great hostile interests, which terminated in the overthrow of the system itself. So, now, he looks only to an uniform currency, and a bank as a means of securing it, without once reflecting how far the banking system has progressed, and the difficulties that impede its further progress; that banking and politics are running together, to their mutual destruction; and that the only possible mode of saving his favorite system is to separate it from the Government.

Manner and intonation go for a great deal in a speech of this character, but only a few descriptions of the scene have come down. Calhoun's early biographer tells⁸² us that a friend of his, who was present, said that, though he had heard many speakers, he never witnessed "such a display of impassioned eloquence as characterized this great effort. The keen fulgent eyes of the speaker shot lightnings at every glance, his hair stood on end, large drops of sweat rested on his brow, and every feature and muscle were alive with animation. And while this burning flood of indignation was rolling in a deluge from his lips, the audience was so completely enchained that perfect silence was preserved, and a pin might have been heard to drop in any part of the chamber; and, when he declared, with a gesture suited to his words, that he hurled back the dart which had been thrown against him, the eyes of all were involuntarily turned to witness the effect of the blow."

I do not know of anything to show affirmatively that Calhoun had in any high degree that faculty of injecting mordant sarcasm into plain words, which characterized Disraeli, for instance. In one of the latter's diatribes against Peel, the words, "The theme, the poet, the speaker,— what a felicitous combination!" are said to have become fairly crushing in their manner of utterance.⁸³ But I think it is hard to imag-

⁸² Jenkins's "Life," p. 378.

⁸³ Monypenny's "Disraeli," Vol. II, pp. 314-317.

ine Calhoun's words, *e. g.*, as to "those higher faculties of the mind (called metaphysical by those who do not possess them)," being uttered without a curl of the lip and a cutting emphasis, which is entirely lost in the cold type.

Benton wrote⁸⁴ that, during the preparation of his answer to Clay, Calhoun "refreshed his reading of the Oration on the Crown," and that he thought he saw traces of its effect. Others⁸⁵ have specified instances in point, as for example, that Demosthenes answers his accusers by saying: "Athenians! to you I appeal, my judges and my witnesses;" while Calhoun, denying Clay's charges, says: "In proof of this, I appeal to you, Senators, my witnesses and my judges on this occasion."

The duel between the two great leaders went on through various degrees of quip and rejoinder, until at length Calhoun brought the discussion to an end by remarking that he had more to say but would "forbear, as the Senator appears desirous of having the last word," to which Clay replied "Not at all." The duel was over for the moment; but the fight had not been to a finish, and its fires still smouldered and now and then burst out into sputtering flame.

Thus, about two years later, after Calhoun had visited the President and when he once more brought in his plan to cede the public lands to the States, Clay was highly personal and wanted to know whether the bill had to do with the "adjustment of former differences" between its author and Van Buren. How, he asked, does the administration stand to the bill? Calhoun replied much as may be supposed. In the course of their observations, both statesmen reviewed the history of the Compromise of 1833, by no means in an amicable spirit; and in other rounds at slightly later periods they continued their wrangles, each on occasion charging his opponent with flying into a passion, while he himself remained cool.⁸⁶

Calhoun had, in his chief speech in reply to Clay, said a few words as to Webster's proposal in 1834 to re-charter the

⁸⁴ "View," Vol. II, p. 98.

⁸⁵ "Democratic Review," for January, 1843 (Vol. XII, pp. 93-95).

⁸⁶ "Congressional Globe," Twenty-sixth Congress, First Session, pp. 96-98, 202, 203; Benton's "View," Vol. II, pp. 122, 123.

bank and their then discussion, but there was no sting in his utterances. Probably, however, all tempers were at the time rased and the Whigs were of course bitterly disappointed at the results evidently to flow from the loss of Calhoun's support, for now Webster in turn in a long speech on March 12th attacked Calhoun's consistency and political course in general. The latter replied on the 22nd in the same vein of severity, ridiculing Webster's claim of a broad nationalism and maintaining that he had earlier been anything but inclined to patriotism. Here was another battle of the giants, and it went on through several replies on both sides but can not be further gone into here.⁸⁷

Such gladiatorial contests seem to the philosopher mere chaff and a deplorable waste of time, but they have their use, as the term runs, in "clearing the atmosphere" and often result in putting people on their proper level, despite the fact that sometimes easy gall or brilliant oratorical magnetism may carry the day and the unworthy snatch from patient merit the laurel of victory.

One thing is ever sure about them. Both sides will claim the victory. Calhoun wrote⁸⁸ ere long: "I think I may say, that Clay and Webster do not feel that they have gained anything by their attacks." Benton, too, who reproduces in his "View" great parts of the debate with Clay, and evidently followed it with intense interest and admiration, seems to my mind clearly to have thought, though he avoids saying so, that Calhoun was the victor. His personal feelings tended of course to lead him that way, for Calhoun was supporting and bringing great power to a policy, which was, in Benton's opinion, of vast importance. On the other hand, John Quincy Adams, whose tendencies were decidedly against Calhoun, even if his puritan nature could not be exuberant as to Clay, wrote in his Diary⁸⁹ on March 10, after hearing Calhoun's answer and probably the various following quips and rejoins-

⁸⁷ "Congressional Globe," Twenty-fifth Congress, Second Session, "Appendix," pp. 632-641, 243-250, 264, 265. Calhoun's main speech is also in his "Works," Vol. III, pp. 279-326. Webster's two main speeches are in his "Works" (ed. 1853), Vol. IV, pp. 424-499, 500-522.

⁸⁸ "Correspondence," p. 396.

⁸⁹ "Memoirs," Vol. IX, pp. 505, 506.

ders of the wrestlers, that Clay "had manifestly the advantage of the debate," and add that "these personal oratorical encounters between Clay and Calhoun are Lilliputian mimicry of the oration against Ctesiphon and for the crown, or the debate of the Second Philippic." The diarist's bias is shown clearly enough by his gulping down entire Clay's interpretation of Calhoun's Edgefield letter in regard to the fruits of victory going altogether to the Whigs.

The South Carolina Legislature met in special session in the end of May, 1838, and once more Calhoun's enormous power in the State was shown. Not only were the Sub-Treasury resolutions of the preceding December endorsed and asserted to have been approved by the people, but the sop thrown out at that time to Preston and his friends was now repudiated and it was specifically resolved that "any public servant who refuses to promote the same [the resolutions favoring the Sub-Treasury] pursues a course injurious to the welfare and prosperity of the State." These resolutions passed "by an overwhelming majority of both Houses."⁴⁰

On the 28th of July, 1838, a barbecue was held at Columbia to welcome Preston on his return home, and Calhoun was asked to attend. He declined, however, in a public letter of July 24, which set forth the burden of the journey and his desire for rest; but he added that, far more than this, the meeting was intended as an approbation of Preston's course "in reference to the great and leading question of the day" and that, therefore, to attend would be to condemn his own course. According to the *Mercury*, the meeting was quite as outspoken in favor of the Sub-Treasury as it was for Preston, and a toast favoring Calhoun for the Presidency was enthusiastically applauded. Preston is said to have spoken of his "martyrdom" and of his leaping into the Gulf like Curtius to save his nation and State. We can hardly wonder that Calhoun wrote of the dinner as having been "a great failure."⁴¹

⁴⁰ Charleston "Mercury," June 7, 1838. Niles's "Register," Vol. LIV, p. 339. Perhaps the intention was to force Preston to resign the Senatorship, but he did not do so until 1842, *infra*.

⁴¹ Calhoun's letter of declination is in the Charleston "Mercury" of August 16 and also in Niles's "Register," Vol. LIV, p. 406; see also the

Other barbecues and dinners were given by both sides, and at one of these Calhoun had quite a clash with Waddy Thompson, who was of the Preston faction. Calhoun had spoken of the early history of the Sub-Treasury and its proposal in 1834 by General Gordon, but Thompson was later called for by some and maintained that Benton was the author of the plan now advocated by Calhoun. The latter here interrupted and propounded certain questions to Thompson and later spoke again, demolishing his opponent's arguments in a way which led to much cheering. Thompson thought some of the questions contained aspersions on his veracity and opened a correspondence with Calhoun upon the matter, but the storm was appeased by Calhoun's making it plain that he had intended nothing personal.⁴²

Calhoun's triumph in his State had surely been overwhelming enough, and he was evidently now content to rest on his oars. He wrote to one of his lieutenants (Armistead Burt), November 17, shortly before the regular meeting of the Legislature, that he supposed they would have a quiet session at Columbia, and that in his opinion no movement should be made there on "the great question of the day." Preston, finding himself so hopelessly in a minority in his own State, resigned from the Senate in November, 1842,⁴³ and was later for some years President of the College of South Carolina. Hamilton, too, long so powerful in South Carolina and for many years a friend of Calhoun, had been crushed upon the same issue. His friendship with Calhoun, however, was not broken, whether or no his defeat was a contributing cause to his at least partial removal to Alabama and later to Texas.

Once more, at the third and last session of the Twenty-fifth Congress, in December of 1838, a bill was reported to establish the Sub-Treasury, but no progress was made with it, and Calhoun wrote on December 24 that it would not be satis-

"Mercury" of August 1 and after the 16th, and Calhoun's "Correspondence," p. 398.

⁴² Niles's "Register," Vol. LV, pp. 54, 55, 74, 75, 121, 392; The Charleston "Mercury" of September 7.

⁴³ The Charleston "Mercury" of December 1, 1842, reports in its letter from Columbia that the "long looked for resignation" of Preston had been transmitted to the Legislature.

factory to many of the party. Probably it was apparent to the leaders that the measure could not pass, and other questions, too, were prominent at this short session. It remained for the next Congress to succeed with the measure on the fourth effort. A bill was early brought in and discussed, and on January 17 was passed in the Senate by 24 to 18, Calhoun of course voting with the Ayes. It contained Calhoun's specie clause, and received the Executive approval on July 4, 1840.

Little remains to be said of the Sub-Treasury. The piece of governmental machinery so recognized,—though but in part created,—by law in 1840 was of short duration. In the struggle of the parties, it was again swept from the statute-book by the triumphant Whigs at the special session of the spring of 1841, but they were unable to enact the measure they designed to substitute for it, and after the success of the democrats in 1844-45 it was reënacted upon the recommendation of Polk, at the first session after his inauguration. Calhoun had of course opposed the repeal by the Whigs and had spoken against it,⁴⁴ and in 1846 he advocated the reënactment of the measure and spoke shortly in its favor, though thinking it a little hazardous, during the pendency of the war.⁴⁵ The treasury system, thus finally recognized, was destined to a long life in our governmental affairs and has certainly been a most successful device, whenever the finances of the country have been carried on with any due balance between receipts and expenditures. In the days of a vast surplus, it does and always must show serious difficulties.

During the four years of Van Buren's term still more subjects of great importance came upon the stage of public events and were many of them discussed by Calhoun. Several of these touched the perennial question of slavery, but have already been sufficiently noticed. Others must be referred to here, even if some of them have to-day to a large

⁴⁴ "Works," Vol. III, pp. 615-18, or "Congressional Globe," Twenty-seventh Congress, First Session, "Appendix," pp. 27, 28.

⁴⁵ "Congressional Globe," Twenty-ninth Congress, First Session, p. 1176. See generally "The Independent Treasury," by David Kinley. The sub-Treasury was first established by the Act of July 4, 1840; repealed by that of August 13, 1841; and re-enacted by that of August 6, 1846.

extent lost their interest. At the session of 1838-39, Crittenden brought in a bill to prevent the interference of certain federal officers in elections, the terms of which provided for the dismissal by the President of such officials as he should think had been guilty of the offence in question. It was evidently a subject of no little interest at the time. Calhoun spoke ⁴⁶ against it on February 22, 1839, maintaining that it was unconstitutional, because the whole subject of elections to Federal as well as State offices belonged to the States. But, more than this, he contended that its effect would be the very opposite of what was intended and that it would increase the control of the Executive over political affairs by leading to the dismissal of offenders opposed to the Executive, while the like deeds of supporters would be winked at. He insisted here again, as he ever did, that the real way to attain the object was to restrict the revenue and expenditure to the needs of the government constitutionally administered. The result was that the bill was soon defeated by the overwhelming vote of only 5 to 28.⁴⁷

Calhoun seems to have considered his speech upon this subject as one of his most popular ones, and it figures to some extent in the "Campaign Biography," ⁴⁸—if such a term may be applied to a work of so great merit,—of 1843, of which he was the unknown author. He quotes a part in which he gives an account, as he saw the matter, "of the two hostile systems of policy, which had divided the country from the formation of the Government, of one of which Mr. Jefferson was the head and General Hamilton of the other" and goes on to show that the struggle of their day "was but a continuation of the original conflict." In conclusion,—and this, too, was of course referred to in the "Autobiography,"—he apostrophized those in power, calling upon them to stand boldly upon this policy, avowing openly their object and thus bringing the Government back to the course from which it had been misled.

⁴⁶ "Works," Vol. III, pp. 382-403.

⁴⁷ "Congressional Globe," Twenty-fifth Congress, Third Session, 1838-39, pp. 207, 210, 226.

⁴⁸ "Autobiography," pp. 64, 65.

At the next session (1839-40), besides other matters already sufficiently noticed, one of Benton's many efforts to repeal the salt tax, the assumption of the State debts, the Cumberland road and the Bankrupt bill, were all considered by Calhoun. He opposed Benton's effort on the general ground that the whole subject of the tariff would have to be considered soon, upon the expiration of the Compromise in 1842, and that it should then be treated as an entirety and no advantages now be doled out to sections.⁴⁹

The proposed assumption of the State debts equally met his opposition in a speech⁵⁰ of February 3, 1840, of which he wrote a few days later (February 12) that "it is thought to be the most popular speech I ever delivered, and will receive a very wide circulation." The measure was certainly one having a strange side in our country, where some of the States had long lived in moderation and were free of debt and others bankrupt after years of financial debauchery. There was, too, the aggravating fact of its being to no little extent urged by foreigners. The measure was another expression of that tendency to magnify the power and functions of the federal government, which he was so anxious to restrain. The same feeling and his conviction of the extravagance sure to be incurred in such works, when carried on by the federal government, were behind his opposition to the bill for extending the Cumberland Road, of which he wrote Hammond on April 2, 1840: "There is a fair prospect of its receiving a death-blow; and with it the remnant of the American system." The bill was defeated by 20 to 22.⁵¹

The Bankrupt Bill stood on another basis. Behind it lay the moving appeal of many lives and homes ruined, by past follies indeed and perhaps to the grievous wrong of others, but also often innocently and without even a ray of hope left that the debtor could ever pay. Calhoun took this subject up also,—as he did almost all,—and studied it in the midst of

⁴⁹ "Works," Vol. III, pp. 448-456; see also, pp. 375-382.

⁵⁰ *Ibid.*, pp. 407-439; also see pp. 456-462.

⁵¹ "Congressional Globe," Twenty-sixth Congress, First Session, 1839-40, pp. 291, 298, 299, 302. Calhoun's speech is in *ibid.*, "Appendix," pp. 368, 369, and in "Works," Vol. III, pp. 488-495.

the hurly-burly of a session of Congress; and this when the hot weather was coming on. He wrote to his daughter on May 30:

It is comparatively new to me. I find it to be a subject of great difficulty and danger. I will speak on it at length before the debate closes, and decidedly in opposition on all points. I do not think the bill will pass.

The result of his studies was his speech of June 2,⁵² in which he examined the subject from a historical point and opposed the whole bill, partly because of its inexpediency at a time of depression, and partly because he regarded it as, in the main, one of insolvency as distinguished historically from bankruptcy, and therefore unauthorized under the constitution.

At the time our Constitution was made, he said, there existed both in England and this country — and there had existed in our colonies and for centuries in England — two separate systems of law upon the general subject, one known as bankruptcy and the other as insolvency. The latter grew out of the debtor's interest in such cases and was designed to relieve him from the power of grasping creditors, upon the surrender of all his property. Motives of humanity had originated this remedy, and the debtor always set its machinery in motion for his own benefit. Bankruptcy, on the other hand, grew out of the creditor's side of the relation, and was based on the design of strengthening credit and consequent business enterprise. Hence, it had originated in the commercial republic of Venice, and was only to be found in commercial communities. The moving party was always the creditor, who was by this remedy enabled by summary process to have trustees seize upon a debtor's property against the latter's wish and wind the whole up for the creditors.

This distinction was of course well known to the framers of the Constitution in 1787, he said, and their conferring upon the proposed government the power of bankruptcy alone must have been intentional. They had evidently meant to leave in-

⁵² "Works," Vol. III, pp. 506-531.

solvency to the States, yet the pending bill was in the main one of insolvency and was constantly urged on account of the need of relieving unfortunate debtors. It was often spoken of as designed to aid "voluntary bankruptcy," which was a mere misnomer for insolvency. No such thing as voluntary bankruptcy existed.

In addition to this, the bill extended to corporations, which was an absolute novelty never attempted before, and would thus result in a large degree of control over all those agencies of the States, the banks included.

Calhoun opposed the bill in all its parts, thinking it unconstitutional in the particulars mentioned, and that a time of grave distress such as then prevailed was not the one to enact the only portions of it, which were constitutional,—those which constituted bankruptcy historically and armed creditors with the power to crush the vast host of then debtors who were perhaps only in temporary trouble and might otherwise save themselves. The bill passed the Senate by 21 to 19 but was laid upon the table in the House.⁵³

One other discussion in which he took a part must be mentioned. In 1835, a law had been passed to establish a branch mint at New Orleans for the coinage of gold and silver, and others at Charlotte, North Carolina, and at Dahlonega, Georgia, for the coinage of gold only. Calhoun had both voted and spoken in favor of this bill.⁵⁴ He owned at the time a gold mine at Dahlonega, and, so censorious is the world of the actions of public men, that perhaps some will be convinced that he was here guided solely by personal interest. But the policy of establishing branches of different departments of the Federal Government in various parts of the country was far from new to Calhoun. In his earlier days, as has been seen, he had already advocated branch armories and the maintenance of several military schools. We must not forget, moreover, the difference of circumstances then and now, and that the cost of transportation to any distance was in that day

⁵³ "Congressional Globe," Twenty-sixth Congress, First Session, 1839-1840, pp. 486, 512. Calhoun's speech may also be found in *ibid*, "Appendix," pp. 690-693.

⁵⁴ *Annals*, Vol. II, p. 57.

prohibitive. This point was urged by him on the bill of 1835.⁵⁵

In 1840, a bill to supplement the Act of 1835 and to make Dahlonega and Charlotte branches for the coinage of both precious metals was introduced but at a very late stage of the proceedings, after it had been ordered engrossed for third reading, Calhoun's then hostile colleague, Preston moved to recommit so that inquiries should be made as to the expediency of abolishing these two branches. He and Clay alone supported this motion, which was opposed by Calhoun and several others and soon lost, by 11 to 27. The bill was then passed; but it was not acted upon in the House, though a motion similar to Preston's was at one time made, based on the alleged small amount of coinage at the branches and the high ratio of expense. Later, in the House, it was moved by W. Cost Johnson to strike out from the civil and diplomatic appropriation bill the appropriation for the Dahlonega branch, but this unceremonious and indirect way of legislating met with scant favor. Johnson was a political enemy of Calhoun in Virginia, so that we may probably conclude that personal hostility to him was largely concerned in the effort made in both Houses to abolish the branches.⁵⁶

As was well-nigh inevitable, before the end of Van Buren's term friendly personal relations were reestablished between him and Calhoun. Public men of note, working in the main toward the same end, have the strongest reasons for burying their differences, at least to the extent of forming a truce so that they can bow and show civility to one another, and thus gradually come to discuss questions of policy. In this particular instance, the process was a slow one. Calhoun's support of Van Buren's recommendation of a Sub-Treasury began in September, 1837, and he was from that time on in the main on the side of the administration; but a whole year later

⁵⁵ Congressional Debates, Vol. XI, Part 1, 1834-35, pp. 595-613. The bill passed the House by 115 to 60, John Quincy Adams among the Ayes, *ibid.*, Part 2, pp. 1655-6. Act of March 3, 1835, *ibid.*, "Appendix," p. 414.

⁵⁶ Congressional Debates, Twenty-sixth Congress, First Session, pp. 93, 108, 178, 182, 183, 331, 335, 364-367. *Ibid.*, "Appendix," pp. 314-318, gives the Senate debate, and Calhoun's speech is also in his "Works," Vol. III, pp. 495-497.

(October 26, 1838) he wrote⁸⁷ that he had not in a single instance "entered into consultation with the friends of Mr. Van Buren, as to any means devised to sustain him. . . . My personal relation with Mr. Van Buren remains unchanged. I have not been in the President's house, nor have had any intercourse with him directly or indirectly in eight years." In probable confirmation of all this,—if such be needed,—may be mentioned the fact that in April, 1839, he recommended to a member of the cabinet the naming of one McComas as District Judge in Virginia, but another was appointed.⁸⁸ Van Buren would have been slow thus to ignore a request from a man wielding such power as Calhoun did, if the least dicker-ing had begun between them.

Not until December, 1839, was the breach healed, though the step had already been urged upon Calhoun by his friends and he "had all along seen it would be necessary," because the existing relations made him a subject of jealousy among the friends and of speculation to the enemies of Van Buren. Calhoun had been told, too, by Senator Roane of Virginia that the President said it was his intention to make the first advance, if they ever met. On the way to the meeting of Congress in 1839, Roane and Calhoun travelled from Richmond on the same car, and Roane urged that Calhoun should leave his card at the President's house upon arrival. This, Calhoun declined to do, adding that he had always intended to restore the personal relations, if the President persisted in the course he had taken. But he must himself be the judge of the time and mode, and had determined to await the appearance of the Message. When he found that this document was satisfactory, he called at the Executive Mansion with Roane by appointment, "and all that passed between us in regard to the subject was simply that 'I said to him that by his course as Chief Magistrate he had removed the difference in our political relations and that I called to remove that in our personal.' " ⁸⁹

⁸⁷ On the date indicated Calhoun wrote a long letter to an inquirer in regard to his course in the whole matter, "Correspondence," pp. 406-410.

⁸⁸ *Ibid.*, pp. 424, 425.

⁸⁹ Calhoun wrote a full account of the matter to his brother-in-law on

The ice thus broken, Calhoun called again at the levee on the following New Year's Day. All the political world was agog, and John Quincy Adams noted⁶⁰ that evening that "the peace and alliance between Van Buren and Calhoun was manifested by the appearance of Calhoun this day at the New Year's gathering at the White House." The Whigs were, of course, distracted at the loss of a powerful ally, and all sorts of rumors flew about. It was even said, though it is hard to know why, that Calhoun was now in favor of a protective tariff⁶¹ and, again, that he and all the Nullifiers were "going over to granny Harrison";⁶² and charges of bargains for power were daily ground out in the public press. Calhoun answered in one or more instances, but in the main kept on upon the even tenor of his way. A year later, too, after Van Buren's overwhelming defeat, he once more attended the New Year's levee at the White House, although the day was most inclement, with wind and snow, "a thing I would not have done in such weather, had not the incumbent been defeated."⁶³

Despite the resumption of personal relations thus brought about, there was and could be no friendship between the two men, and their partial union was merely the outgrowth of political necessities. The charges of a bargain between them were to be expected, but there is no appearance of any such

February 1, 1840, and, on the 13th to his daughter, Mrs. Clemson, who had evidently written him about it in some surprise and wonder. The call was apparently made the day after the reading of the Annual Message which was delayed at that session until December 24th, owing to a contest in the House as to organization. Letter of F. W. Pickens to James H. Hammond dated January 22, 1840, in Library of Congress. Van Buren, also, sent an account of the reconciliation to Jackson, on February 2. After some judicious flattery of the General, who did not like Calhoun, he wrote to the same effect as did Calhoun of the call made by the latter, and of what was said between them; but said nothing of the steps leading up to it. He emphasized, too, the fact that Calhoun had supported the appointment of Blair and Rives as Printers to Congress. Letter of February 2, 1840, in the Van Buren Papers in Library of Congress.

⁶⁰ "Memoirs," Vol. IX, p. 182.

⁶¹ The Charleston "Mercury," January 15, 1840, *et ante*. The Charleston "Courier," December 11, 1839.

⁶² The "Mercury," December 23, 1839. The "Mercury" added: "All the politicians in the world could not drag South Carolina into the support of Harrison." Probably this story was some echo of Green's plan for Calhoun to go on the ticket with Harrison, which is mentioned shortly *infra*. Harrison and Tyler were nominated in December.

⁶³ Letter of Mrs. Clemson of January 3, 1840, "Correspondence," p. 471.

compact and, indeed, direct as well as indirect evidence to the contrary. Thus, Benton, who was politically close to Van Buren, writes⁶⁴ that he knows, as well as it is possible to know a negative, that "no promise, pledge or condition of any kind took place between Mr. Calhoun and Mr. Van Buren, in coming together as they did at this juncture"; and Calhoun's just quoted letter of October, 1838, asserts that down to that date they had had no relations of any kind.

It is thus, I think, clear that Calhoun's early support of the administration's measures in 1837 was accompanied by no bargain. As time went on, however, and he felt the enormous power he wielded, he properly enough used his power to extract from Van Buren's friends and the Northern wing of the Democratic party a species of pledge on some great questions of policy, as has already been shown in prior pages.

⁶⁴ "Thirty Years' View," Vol. II, p. 120.

CHAPTER VII

PROGRESS OF SOUTHERN POWER IN CONGRESS

Duff Green and Calhoun — The Harrison Movement and Its Triumph — The Extra Session — Calhoun Leads the Opposition — Whig Fiasco — Speech on Veto Power — The Treaty of Washington — Webster's McLeod Case Bill — Oregon — Compromise of 1833 about to Expire — The Tariff Act of 1842 — Efforts to Nullify It — The Bluffton Movement — The Tariff of 1846.

DUFF GREEN, who was long an aid to Calhoun, filled a conspicuous place in American public affairs for many years. He was evidently a man of great energy and activity,—probably what some call bustling and others describe as "a hustler,"—and as the editor for a series of years of a leading newspaper (the *United States Telegraph*) he wielded a large share of power. We shall find ere long, too, that at critical periods he was selected to be sent on important special missions to Mexico and Europe, where he secured the ears of leading men and wrote home accounts of events and tendencies rather colored as he and his friends in America saw them, but often at least interspersed with flashes of truth as to the motives behind the scenes in the country he was visiting.

He was a devoted friend and supporter of Calhoun for the Presidency for many years, and the columns of his *Telegraph* were as extravagant as may be supposed in praise of the Southern leader and doubtless often reflect views in regard to public affairs that the editor had derived from Calhoun. In and about 1831, when Jackson's grip was already immensely strong and was soon to become utterly irresistible, Green was persistently pressing Calhoun for the presidency and convinced that success was near at hand. In the summer of that

year, he wrote to Virginia editors urging that their State should at once present the name of the South Carolina leader and thought that such a step would go far to solve the question in his favor. "Calhoun is our man," he wrote upon hearing of some "glorious news" from recent elections.

Nothing came of these efforts, but the result seems to have had little influence in quelling the irrepressible Green. Efforts were also made to secure the anti-Masonic nomination, and Green was convinced that it was all that was wanting "to put Clay out of the field and elect Calhoun." After the failure of this move also, he wrote on October 4th that "but for the cry of Nullification Mr. Calhoun would have been nominated by the anti-Masons" and a week later told Crallé that funds had been secured "through Governor Floyd" to start a newspaper at Richmond under Crallé's management,¹—of course, in Calhoun's interest.

Again, in 1834, when Jackson's marvelous popularity had crushed all competitors and he was serving his second term,—while Calhoun had by that time led the Nullification struggle, had had his breach with Jackson, and was both unpopular and dreadfully isolated,—Green was still urging that Virginia should take the lead in the same movement. In March he wrote that there was no alternative but to bring Calhoun out and thought the sooner it was done the better, except for the danger of embarrassing the latter's action in Congress. In July, too, he wrote in reference to the same matter that "a convention of the State Rights party would be decisive."²

What impression did all this make on Calhoun, and to what extent did it reflect his own ideas of the course proper to be pursued by his friends? It is hard to suppose that his intimate lieutenant was at any time³ acting entirely without au-

¹ Letter of Duff Green, June 26, 1831, to Cabell and Co., editors of the "Republican" of Lynchburg: letter, August 16, 1831, to R. K. Crallé, and others of about the same date among the Duff Green papers in Library of Congress. "Calhoun as Seen by his Political Friends," &c., in "Publication of Southern History Association," Vol. VII, pp. 165, 168, 169, 269, 272, 273, 274, 276.

² "Calhoun as Seen by his Political Friends," etc., in "Publications of Southern History Association," Vol. VII, pp. 285, 286.

³ Calhoun clearly knew well enough of the efforts in 1831 and for a year or so later; see *ante*, Vol. I, pp. 424, 425, 428-430.

thority but at least the latest stages of Green's course met with his decided disapproval. In 1831, Calhoun was undoubtedly fitfully hankering after the Presidency, in spite of the fact that he knew well enough in cooler moments that his course had driven away from him for the time all Northern support⁴ and that,—“with nullification on my head,” as he expressed it to Hammond in 1831,⁵—he was not the man to be then nominated for the Presidency. Perhaps in 1834, he still seriously hoped to succeed Jackson, but in the end of 1836 (December 9) he wrote in a private letter that he had better have nothing to do with the Presidency as there was no likelihood of its coming to him on terms that he would be willing to accept.

Such was evidently not Green's impression either then or for some years afterward, and he still continued to press Calhoun for the office, and in ways that seem strange enough to-day to us, who can so much more easily see the folly of the effort at that time. Green was evidently a practical politician rather than a statesman. The immediate and incidental appealed to him far more than did those great underlying, and in the end generally controlling, causes, which were ever uppermost in Calhoun's mind. Thus, in 1837 he urged Calhoun to join in a proposed Convention of all the opposition forces,⁶ doubtless blinded by the vision of a powerful party, which could perhaps have been thus brought together, to the very patent fact that such a step would have left Calhoun a subordinate member of a party with which he had hardly one idea in common and the destinies of which would have been in the main in the hands of the centralizer and arch-protectionist, Henry Clay.

⁴ He wrote to this effect to Micah Sterling as early as August 12, 1827, long before Nullification and when opposition to John Quincy Adams's administration was the only apparent cause of the North's growing disapproval of him. In this letter, after regretting his long delay in answering Sterling, he wrote: “The truth is, I had but little to say, as the course of politics is so fixed to the South. I know I have lost much to the North at present. It could not be otherwise. It was impossible for me to go with Mr. Adams in his desertion of principle.” Letter owned by John Gribbel, Esq., of Philadelphia.

⁵ Cited *ante*, Vol. I, p. 426.

⁶ “Calhoun Correspondence,” pp. 372-374.

Again, at much the same time, Green conceived an extraordinary idea of Calhoun's accepting second place on the already talked-of Harrison ticket.⁷ If it must be conceded that in one sense both invention and foresight were shown here (the campaign was still some three years away) it was certainly a strange suggestion to make to a man of such high prominence, who had already for fifteen years been a candidate for the first place. Calhoun rapidly dismissed it.

"As to my taking place on the Harrison ticket," he replied,⁸ "I am sure it could be no more than a momentary impulse with you. How could I who am anti-national, take a place under a prominent national Republican? How can I, who am anti-abolition, go on a ticket, headed by one, who

⁷ This was of course some early plan in regard to the campaign of 1840. That of 1836 was already over, and Van Buren in the Presidential chair; but in 1836, also, Tyler had been run for Vice-President on the Harrison ticket. Green writes ("Facts and Suggestions," p. 139) that in 1836 he was informed by friends that they had participated in the recent nomination of Harrison and W. P. Mangum, and that they asked his co-operation. He replied that he was opposed to Van Buren, and would co-operate with them, if they would put on the ticket as Vice-President a proper representative of State Rights, and he suggested Tyler. They acted on this suggestion, Green writes (see also McMaster's "United States," Vol. VI, p. 362). In 1830, Green was in Richmond in December and wrote to Crallé on the 16th: "I found things in a strange jumble at Richmond. The Whigs are planning personal arrangements and combinations, which promise to consolidate a powerful party. . . . Tyler to be Vice-President with the assurance of the reversion." "Calhoun as Seen by his Political Friends," in "Southern History Association Publications," Vol. VII, pp. 354, 355. Perhaps, the effort of Green to run Calhoun in 1840 furnishes corroboration to Benton's belief ("View," Vol. II, pp. 119, 120) that some movement was at one time on foot in Calhoun's behalf for the succession to Van Buren, after the latter's first term. If such was the case, the plan failed entirely. Benton was sounded on the subject by two of Calhoun's friends.

⁸ Letter of July 27, 1837, to Green in "Calhoun Correspondence," p. 376, and see, also, letter of June 26, 1837, in *ibid.*, p. 372. Green also evidently favored in 1839 the proposed assumption of the State debts (*ibid.*, p. 434) an idea that was anathema to Calhoun. In 1840 there was almost a quarrel between them, Green writing to Calhoun to complain of the latter's taking part in a "heartless conspiracy" against his reputation by which he had failed to secure the office of printer to the House. Calhoun explained his course with both firmness and dignity, denying the high-wrought charge, but admitting his opposition, and adding that allegations of a discreditable bargain had been so openly made that it was impossible for him to give his influence to Green. The latter evidently threatened an open attack on some people concerned, and apparently on Calhoun, but gave this up, and the friendship was not broken (*ibid.*, pp. 438-441). The fact that Calhoun's son Andrew had married Green's daughter Margaret added to the unpleasantness of this incident.

has expressed an opinion in favour of appropriating money to emancipate our slaves by purchase?"

Doubtless these wild proposals of Green's were the cause that led Calhoun to go on, with no little impatience, that the latter's letters and the reasons they advanced would lead posterity to think "that I was a vain, light-headed, ill-judging, and ambitious man, ignorant alike of the nature of the times, and my own strength, and constantly leading myself and those who follow me, into false positions, and aiming constantly at the Presidency and destined constantly to be defeated. I know you do not and cannot so think of me."

Green, none the less, continued to regard his advice as good and, when the Harrison movement began to promise that immediate success which is ever to the politician as the breath of his nostrils, he wrote⁹ to Calhoun: "Had you been advised by me you would have been at the head of the present movement and at this moment the most popular man in the United States." Green must have found cause for reflection, when, within a year, the heterogeneous mass of the Whigs began rapidly to crumble to pieces; but he was apparently quite carried away by the whole Harrison movement.

The campaign of 1840 was the strangest one our country has ever seen. It is evident that its hard-cider and log-cabin extravaganza made little impression on Calhoun, nor did he apparently realize that back of all the froth lay a real and deep-seated protest against much that had occurred in recent days in our public affairs. But about four months before the election, he still thought that the chances for Van Buren's election were good and that he would carry all the Southern States.¹⁰

It was not an easy question for either South Carolina or Calhoun to decide how the State should vote. There was little liking for Van Buren, and Harrison was still further away from all their beliefs. Green, with his politician's predilection for the winning side, wrote¹¹ to Calhoun in August that

⁹ Letter of August 21, 1840, in "Calhoun Correspondence," p. 828.

¹⁰ Letter of July 1, 1840, to Micah Sterling, in collection of John Gribbel Esq. of Philadelphia.

¹¹ "Calhoun Correspondence," p. 829.

he did not believe "Van Buren would receive a single vote¹² unless you are mad enough to give him the vote of South Carolina, but I cannot believe that you will commit suicide as this would be."

Calhoun, however, always had his own opinions, and his view was very different. On November 2, when the Legislature was shortly to meet and cast the vote of the State, he wrote Armistead Burt, perhaps in reply to a request for his opinion: "It seems to me, if we should stand alone, as some absurdly think possible, we ought to vote for Van Buren." But he did not want R. M. Johnson as Vice-President, and suggested instead either Tazewell or Polk. The Legislature cast the vote of the State for Van Buren and Tazewell.

It may be assumed that the support of Van Buren was at no time very enthusiastic in South Carolina, and Hammond tells us that it was lukewarm. The latter was already by that time writing of the Democratic party as "the Democratic rabble" and thought there would soon be a break-up and realignment, with the supporters of State Rights and many Whigs on one side and "the rabble" against them.¹³ Probably, the defeat caused little grief either to him or to Calhoun. The latter looked upon it as an instance of retributive justice for the sins of Jackson's time, but was from the start of opinion that the Whigs would find it impossible to divide the spoils among such a host and that this "would prove the cause, among other things, of their speedy and utter overthrow."¹⁴

When the time for inauguration came near, Calhoun wrote¹⁵ of the office-seekers, who were beginning "to flock to the city and set siege to General Harrison; who I under-

¹² He received 60 votes, mainly from the South.

¹³ Hammond Papers, in Library of Congress, *passim* during 1840. Perhaps Hammond began already to see the failure of the South in the end, owing to her steady loss of strength relatively. His "Diary," under date of November 24, 1844, is quoted later (p. 259) to the effect that "a separation of the States at no remote period is inevitable. It might now be effected peaceably and properly. A few years hence it must take place in blood or the South remain in it as a subjugated region." In 1860 he opposed secession, possibly because he feared for the final result, possibly for some other reason.

¹⁴ "Correspondence," p. 467.

¹⁵ *Ibid.*, p. 474.

stand is profuse of promises. It is almost distressing to see him. He is now in his 69th year, with the full share of infirmity belonging to that age, and . . . as unconscious as a child of his difficulties and those of his country." And he went on to tell how, as he was sitting in his place one day in the Senate, he felt some one tap him on the shoulder, and on turning round, saw it was the President-elect. Feeling the awkwardness both to himself and Harrison of standing and attracting the eyes of all, Calhoun drew his companion back to the lobby, where Harrison began at once a most intimate conversation as to the course he intended to take. "They keep him in one perpetual round of visiting and speaking," he added, and thought it hard to anticipate what might come; and that the only hope was that he might be entirely passive and leave it to the strongest about him to take control.

But the disposing fates had another lot in store for the country. Harrison died on April 4th, and John Tyler became President in his stead. Historians have told us that the latter was then an unknown quantity, but all the leaders knew him well enough and were quite aware that at least his fundamental views were altogether opposed to those of the party that had elected him.

The extra session of Congress, which had been called by Harrison, came together on May 31, 1841. Great events were in store. Clay at once took the lead, and in a few days announced a most ambitious programme. The Sub-Treasury was to be repealed, a new bank created, "adequate" revenue to be secured by a new tariff bill, a distribution bill to be passed and a loan created,—the latter, of course, to cover the deficit of the Van Buren administration. But, as Calhoun said¹⁶ more than once, in politics "it is much more easy to gain the battle, than to reap its fruits," and never was this truth better shown than in the almost complete failure of the Whigs at the extra session.

The struggle was a hard one, with long hours, much bitter feeling, and with all the devices of party warfare then in use. Calhoun was chairman¹⁷ of the committee in the

¹⁶ "Correspondence," p. 498.

¹⁷ He wrote in 1844 ("Correspondence," p. 565) that he had been

Senate, which planned and carried on the campaign for the Democrats, and was unwearying in the sapping and mining process of opposition, by which the sanguine Clay was often driven half-wild with impatience. Clay urged "action, action," and threatened to bring in a measure to shut off discussion in the Senate, but Calhoun and others were so strong that they defied him to "come on" with his plan.¹⁸ Offering amendment after amendment and debating shortly so as to show the evil side of the proposals made, he had a large hand in breaking up the administration "block" of that day. As early as the end of June, before even the Bank Bill had passed the Senate, he wrote¹⁹ that the Whigs were much "dispirited and distracted," and by the end of the session the party was broken.

They had, as will ere long be shown, passed a Tariff Bill, but it was a complete failure and had to be greatly changed within a year. They had passed a Distribution Bill, but attached to it was a clause which rendered it nugatory. They had, too, repealed the Sub-Treasury, but had entirely failed to create a bank in its stead, so that the only result was to put the federal moneys back once more under the absolute control of the Executive. And, besides these, only minor measures had been passed, having little or no relation to great questions of policy.

The struggle over the Bank was the chief cause of the Whigs' ruin. This measure was their main one, but from the start it was doubtful whether it would get through the Senate. Calhoun wrote²⁰ that its passage depended on his

"Chairman of the Standing Committee in the Senate," by which he must have referred to a party committee appointed by the Democratic Caucus. The Senate sat 6 to 7 hours a day, *Ibid.*, pp. 478, 481.

¹⁸ "Congressional Globe," Twenty-seventh Congress, First Session, p. 184; also see "Index." Calhoun's speeches at this session do not, of course, contain as much as usual that is permanently valuable. The main and longer ones are to be found in his "Works," Vol. III, pp. 615-648, and Vol. IV, pp. 1-43.

¹⁹ "Correspondence," p. 479. In a letter of July 24 to Micah Sterling (owned by John Gribbel, Esq., of Philadelphia) he emphasizes this same point, and adds that "on our side there is more union, both in reference to principles and measures, than I have ever seen in the thirty years I have been in public life."

²⁰ "Correspondence," pp. 483, 484.

colleague Preston and Merrick of Maryland, and thought it would have been beaten but for the postponement overnight, which enabled the administration leaders to secure a bare majority.²¹ His fear was that the House would then substitute for it the plan which Ewing of the Cabinet had drawn up, but that branch also passed the Senate bill, and it went to the President, only to be returned with the well-known veto. And when the Fiscal Corporation Bill was passed, in an effort to compromise by meeting the President's wishes, it promptly met the same fate²² and the party was rent in twain on the chief point at issue.

Calhoun had foreseen²³ that the loss of the bank would ruin the Whigs and lead to a new cabinet, and four of the portfolios were in Tyler's hands in two days after the second bank's veto. Soon Webster alone remained of the original members; and at about the same time, the session came to an inglorious end by adjournment.

It seems that this must be the period at which Tyler "offered the office of Secretary of State to Mr. Calhoun, with a carte blanche as to the cabinet"²⁴ but it was declined. Characteristic of Calhoun was his idea of the course he and his friends should pursue now that Tyler and the Whigs were evidently separate and hostile parties. He appreciated well enough the difficulties of the plan, but could see "but one way

²¹ After the adjournment over Sunday the bill was ordered engrossed for third reading on Monday, July 26, by 25 to 24. Two days later it passed finally, by 26 to 23. "Congressional Globe," Twenty-seventh Congress, First Session, pp. 256, 260.

²² The student will find aid in unravelling the truth as to the origin and fate of this bill in "The Diary of Thomas Ewing," printed in Vol. XVIII, "American Historical Review," pp. 97-112.

²³ "Correspondence," p. 484.

²⁴ Mr. Gaillard Hunt's "Robert Barnwell Rhett on the Biography of Calhoun, 1854" in "American Historical Review" (1907-8), Vol. XIII, pp. 310-312. Rhett wrote of the cabinet offer, that it was made "when Tyler first quarrelled with the Whigs," and adds: "Hunter and I both urged Mr. Calhoun, with all our might, to take it. But after anxious consideration, he declined it—one of the greatest blunders he ever committed." The offer is said to have been made about March, 1842 (Statement of Crallé (?) in "Works," Vol. V, pp. 319, 414). Green had evidently an idea some months later that Calhoun was going into the cabinet, and the latter wrote him in reply (August 31, 1842): "There was no foundation for the rumor of my going into Mr. Tyler's cabinet. I have given him a fair support, whenever I could, but without the least understanding between us."

to act, and that requiring great caution and prudence; to stand fast on our principles, propose but few measures, and to oppose or support the measures proposed by Whigs or administration, just as they accord with or oppose our principles and policy."²⁵ It was a line of action that he had followed before that time and had urged at one time during the Nullification struggle.²⁶

The grim and fierce struggle of politics is lightened up now and then by some touch of humor, and in this instance the high-spirited and soaring Clay, bitterly disappointed though he must have been by the shipwreck of his hopes, was able on one occasion to amuse himself and his hearers by drawing a picture of a chief scene of his discomfiture. On the night, when the first Bank Bill was vetoed, a number of Democrats, — or, as Clay put it, "the whole Loco-Foco party in Congress," — called upon the President at the White House. The brilliant orator then proceeded to draw a picture of the scene, with character sketches of those he assumed to have been present, and some of them were of a verity drawn to life. When he came to Calhoun, the latter tried to explain, but Clay would not be interrupted and went on:

"There, I say, I can imagine, stood the Senator from South Carolina,—tall, careworn, with furrowed brow, haggard, and intensely gazing, looking as if he were dissecting the last abstraction which sprung from metaphysician's brain, and muttering to himself, in half-uttered tones, 'This is indeed a real crisis.'" [Loud laughter.]²⁷

At the second or regular session of this Twenty-seventh Congress, which met in December, 1841, an effort was once more made to create a species of bank, but the "Board of Exchequer," as the new agency was to have been called, was a plan of the administration and met with scant favor in Congress. Calhoun opposed it in a short speech,²⁸ and expressed the opinion that the extra session had settled the fact

²⁵ "Correspondence," pp. 488, 489.

²⁶ See *ante*, Vol. I, p. 433.

²⁷ "Congressional Globe," Twenty-seventh Congress, First Session, "Appendix," p. 344.

²⁸ "Congressional Globe," Twenty-seventh Congress, Second Session, pp. 69, 70.

that we should not have another United States Bank for at least a generation. Other policies now assumed far greater importance than the question of a Bank.

The finances of the country were in very bad shape, and the leaders in Congress brought in a bill for the issue of \$5,000,000 Treasury notes, and also a Loan Bill extending to twenty years the time of payment for the loan of the extra session²⁹ and authorizing a further loan of five million dollars. Calhoun was apparently willing to consent to the issue of five millions of Treasury notes, but opposed the great increase of indebtedness proposed by this measure and the Loan Bill³⁰ together. His contention was that it was plainly the design of the leaders³¹ to empty the Treasury by distributing the land-revenue and by most extravagant expenditures with the very purpose of necessitating an increase in tariff rates and leading indirectly to heavy loans and, if possible, a Bank. All this, he said, was very similar to the system preceding the Compromise Act, and it was already beginning to be asserted that the rates established by the latter were no longer to be respected. He was in favor of strictly adhering to its terms and opposed to the whole system of extravagance. Economy, he contended, was the proper course to pursue.

The difference here between him and the Whigs was essential, and it is apparent that his opposition was by no means chiefly partisan. His speeches contained careful examinations of the statistics and pointed out numbers of directions in which he thought expenses could be wisely reduced.

The repeated vetoes of this time, coming from a President, with whom the Whigs had quarrelled, after having elected him, caused that party infinite trouble and filled their leaders

²⁹ This measure had authorized the borrowing of \$12,000,000 for three years; but the terms were so undesirable and the financial situation so bad that up to December the officials had only been able to secure five and a half millions, Stanwood's "Tariff Controversies," Vol. II, p. 17; see, also, "Calhoun Correspondence," p. 503, and "Works," Vol. IV, p. 208.

³⁰ "Congressional Globe," Twenty-seventh Congress, Second Session, pp. 149, 150, 153-154, 160; *ibid.*, "Appendix," pp. 106-111; on the Treasury Note Bill. *Ibid.*, "Appendix," pp. 164-168; on the Loan Bill. His chief speeches on these two subjects are also in "Works," Vol. IV, pp. 44-73, 140-157.

³¹ The assumption of the State debts had also been already advocated.

with bitter ire, but there was little they could do but rail. Clay offered resolutions in the Senate for a constitutional amendment to limit the veto power and to curb the Executive generally and spoke to them,³² but nothing came of this move and the subject would not even need mention in these pages but for the fact that Calhoun answered Clay in a speech that was greatly admired and had an enormous circulation³³ at a time when the utterances of leading men in Congress carried a weight which seems no longer to be their lot. To-day, the Executive receives immeasurably more notice, and legislators hardly dare oppose.

This speech of Calhoun's was delivered on February 28, 1842, and as we are told by the *Globe*:³⁴

He addressed the Senate for nearly an hour and a half in a strain of argument so close and logical that every sentence was in itself an aphorism not susceptible of further condensation. . . . No successful attempt at an analysis can be made. . . . Mr. Calhoun's speech on this occasion is justly esteemed one of the ablest, most luminous, and unanswerable, ever delivered on the nature of this Government. We observed, at its conclusion, that he was warmly congratulated by both friends and opponents, indiscriminately; all concurring in eulogy on the profound, statesmanlike, and comprehensive knowledge displayed in his remarks, not only of the origin of the Constitution, but the genius and true theory of our institutions.

³² "Congressional Globe," Twenty-seventh Congress, Second Session, pp. 69, 164-167.

³³ Calhoun wrote to his daughter from Washington of his speech on the veto that it "has been received with almost universal approbation; and has had a wider circulation, than any speech for a long time. It is said that nearly 46,000 copies were circulated from here." "Correspondence," p. 505. And later he wrote (*ibid.*, p. 510) that it had had "an unprecedented run." Future pages will show that some friends aimed to use it to advance his Presidential prospects.

³⁴ "Congressional Globe," Twenty-seventh Congress, Second Session, p. 266. It is evident that relations of friendship prevailed between Calhoun and the editors of the "Globe" from 1840 to 1842, and he wrote of his being always better reported by them than by the "Intelligencer" ("Correspondence," p. 469; also see p. 424). He had had a hand,—in January, 1840,—in preventing their dismissal from the office of printers to the House (thus leading to his almost quarrel with Duff Green); and in March, 1841, he had opposed, though without success, their dismissal from the like office in the Senate: "Congressional Globe," Twenty-seventh Congress, First Session, pp. 246, 247; see also Van Buren's letter of February 2, 1840, to Jackson among the Van Buren Papers in Library of Congress.

Clay's argument had been in effect for the control of a mere popular majority, indirectly ascertained at a general election, and that the Bank and other Whig measures were settled by the election of Harrison. This doctrine,—to-day doubtless far stronger than in 1842,—was never accepted by Calhoun, and he certainly showed conclusively that our whole system had been founded on far different theories. In tracing out in detail the various instances he put, he showed a remarkable power of analysis and of dealing with the complicated and varying problems he met with. The figures and circumstances were most intricate, but were handled with the power of a master mind.

Even the President, he said, is not elected by mere numbers, for in the electoral college of each State the number of her Senators is added to each one's ratio of population, with the result that a minority of seven and one-quarter millions may elect against a majority of over eight and one-half.³⁵ And in the Senate, whose voice is essential in all legislation and in many other matters, numbers are entirely ignored and the smallest State as powerful as the largest; here four millions can overrule twelve millions. The mere numerical argument would, too, be quite as conclusive against the Judiciary; so that the Executive, Senate and Judiciary would all be swept away to leave the House the only remnant of our Government. Nor does the proof against the intention to confer power on a bare majority end here, for in amending seven and one-half millions can adopt against the wishes of nearly eight and one-quarter millions, while about one and one-third millions can defeat any proposal against the wishes of over fourteen millions. And in framing and adopting the Constitution, too, the case was the same. Two hundred and fifty thousand could have rejected the instrument and thereby have defeated the wishes of nearly three and one-half millions.

Such results, he said, show conclusively that our system is based on a quite different theory from that of the popular

³⁵ I have throughout my abstract of this speech only attempted to give approximate figures.

majority, and the truth is that each branch was intentionally constituted very differently from the other, so as to bring in various concurrent majorities (Calhoun did not use this term in his speech, but the argument was grounded on that idea of Nullification days), and ensure the broadest support to the Government's measures.

The Veto Power of the President here attacked had been designed primarily to enable him to defend the powers given him. Without the right to judge for himself and to assert and protect his rights, there would be no effective division of powers. The veto was, however, also given him in order to require that a larger popular basis should stand behind a law of which he might disapprove. In such a case, the vote of 18 States out of the 26 in the Senate, and the vote in the House of members representing a constituency of over ten and one-half millions against five and one-third is necessary to the passage of a law. Nor is the Executive, as is often said, the more formidable branch. If his power has greatly increased, the acts and omissions of Congress are responsible, for his powers are few and perfectly guarded and all but those expressly granted are subject to control by law. (He here referred to and developed his belief as to the implied powers, as *e. g.*, that of removal from office³⁶ as he had done in 1834.)

The veto is in reality, he concluded, a wise precaution which our ancestors took to prevent the tendency to fall under the control of a dominant interest acting by a mere numerical majority, and this resolution is but one of many symptoms of this tendency. We had one other recently in the bold attempt at the late extra session to force through a vast and alarming system of measures on the plea that they had been decided by the late presidential election, "thus attempting to substitute the will of a majority of the people, in the choice of a Chief Magistrate, as the legislative authority of the Union, in lieu of the beautiful and profound system established by the constitution."³⁷

³⁶ *Ante*, pp. 67, 68.

³⁷ In writing to his daughter of the very large circulation of this speech, Calhoun added: "This will surprise you, when you read it, for it comes up almost to nullification. It is in fact but the premises, from which it irresistibly follows." "Correspondence," p. 505.

The Treaty of Washington, negotiated between Webster and Lord Ashburton, also came up for settlement at the third session of this Congress. Naturally, as is ever the case with a compromise disposing of numbers of long-standing claims between nations, it met with bitter opposition from some. But Calhoun gave it his decided support.³⁸ He regretted, he said, that the Oregon dispute was not included, but considered that its omission was not to be avoided under the circumstances. And in regard to the Maine boundary, though he thought our case was originally unanswerable and that the line we claimed had plainly been in the view of both parties in 1783, yet he was of opinion that it was absolutely impossible for us now to adhere to it.

Prior concessions on our part had embarrassed our claim. We had as long ago as Washington's time admitted it to be doubtful, and had again at Ghent agreed to refer the matter to arbitration. And then, when the arbitrator selected by ourselves had decided against us and thereby thrown still further doubt on our right, we had refused to be bound by the award. And now, finally, a treaty has been negotiated. If we reject it, where do we stand? No way of securing our claim would then be left but war, and appearances would be very much against us. The maps recently found, too, seemed to emphasize the British case, and might well lead to the discovery of further evidence worse yet for us. Convention was under the present circumstances the only means by which to settle apart from war. And he was of opinion that the compromise made was a fair one. If the true limits of Maine were considerably reduced, at least she and Massachusetts had agreed to the reduction.

On the other hand, in his opinion, we gained a good deal. The right to navigate the St. John's River would be highly valuable, and the securing of Rouse's Point and of other places along the extensive line of division was of the utmost importance. "He well remembered," he said, "the deep sen-

³⁸ "Works," Vol. IV, pp. 212-237, or "Congressional Globe," Twenty-seventh Congress, Third Session, "Appendix," pp. 49-53. The speech was, of course, made in secret session.

sation caused among military men," when Rouse's Point was found to be on the British side.

In regard to our agreement to maintain a naval force on the African coast for the suppression of the slave trade under cover of our flag, he would have preferred to make no terms with Great Britain upon this subject, but it was unavoidable after the history of the subject. Congress had as early as possible passed a law to prohibit the trade. We had agreed at Ghent to use our best endeavors to suppress it. We had later by Act of Congress⁸⁹ declared it to be piracy and had then requested the President to enter into arrangements with other nations for its suppression. Meanwhile, Great Britain had made treaties with the great powers on the same subject, and five of them had agreed to a mutual right of search or visitation.

The consequence of this had been, he went on, the complete suppression of the slave trade except under our flag, and hence Great Britain had advanced the right of visitation against us as indispensable in order to suppress a trade prohibited by the laws of the civilized world. We, of course, at once repelled the claim, but what were we then to do? With ourselves long committed against the traffic and the whole civilized world a unit upon the point, we could not let the fraudulent use of our flag continue, and there was no alternative but the one adopted. On the whole case, he was decidedly in favor of the treaty. Peace was our policy, and he hoped this treaty would prove the first step to a durable peace, under which we might become the greatest and most prosperous people on earth.

The Administration had been so anxious in regard to the fate of this treaty that they had sent for Calhoun in advance and been assured by him that he would give it his generous support. With this, they were satisfied, and we may find here another instance of Calhoun's freedom from party ties, when the interests of the country were at stake, as well as of the immense power he wielded in the Senate. The speech he

⁸⁹ Act of May 15, 1820, Peter's "U. S. Statutes at Large," Vol. III, pp. 600, 601.

made is said to have been most convincing and conclusive upon those hearing it. Preston, Calhoun's colleague, was not then on speaking terms with him, but so impressed was he that he hurried over to the House and unbosomed himself to his friend Holmes of the South Carolina delegation.

"I must," he began, in violation of the rules of secrecy, "give vent to my feelings. Mr. Calhoun has made a speech which has settled the question of the North-eastern boundary. All his friends, nay, all the senators, have collected around to congratulate him. . . . He has covered himself with a mantle of glory."⁴⁰

It may be added here that Calhoun's disinclination to enter into any agreement with Great Britain for the suppression of the slave trade was not new with him, nor was it based on any secret wish to prevent its suppression. When as far back as 1820 the British had made to our Government the suggestion of agreeing to a mutual right of search for the purpose, he was strongly against it and urged in the cabinet discussion, in addition to the fact of the historical stand we had already taken on that question, that we had our own policy upon the subject of the slave trade and had been the first to prohibit it, while by consenting to the present proposals, we should be following English lead and giving all the credit to her. Her professions of benevolence were merely ostensible, he said, and the real objects guiding her were interest and ambition. Her colonial, commercial and shipping interests could not bear to see a profitable trade enjoyed by rivals and competitors in which they were not permitted to share.⁴¹

These views were, in the main, agreed to by the cabinet, and the chief offer most positively declined, while the sug-

⁴⁰ Holmes's speech in the House upon Calhoun's death ("Proceedings on the Death and Funeral Ceremonies of John C. Calhoun," published by the South Carolina Legislature, p. 43). Holmes says that he was present at the interview, when Calhoun called by request and gave his assurance of support, and also tells of Preston's call on him immediately after Calhoun's speech. See also "Calhoun as a Lawyer and Statesman," by Walter L. Miller (Abbeville) of the South Carolina bar, in "Green Bag," Vol. XI, p. 273.

⁴¹ John Quincy Adams's "Memoirs," Vol. V, pp. 216-219, 222, 223. Adams agreed with Calhoun in the main, but says he was inclined to be a little more charitable in regard to the British motives.

gestion of the British for alternative proposals from us to attain the end in view were only answered in a very general way. As a matter of fact, we already had a vessel cruising on the African coast for the purpose in question, but the cabinet was opposed to any stipulation to continue this.

Other questions of international importance had arisen out of the case of McLeod. In 1839, when both nations were close to the boiling point in regard to the controversy, an effort was made in our Senate to provide for fortifications on the Maine frontier as well as along that in the West, and it had the powerful support of Benton. Calhoun was convinced that, if this measure were to pass, war was sure to ensue and, though then for a long time not on speaking terms with Wright, he called on that senator, who was close to the administration and represented his views, urging that power should rather be given the President to call, if necessary, for 50,000 volunteers. This was, moreover, quickly done, and the appropriations for fortifications failed of passage. The instance may serve as still another illustration of Calhoun's readiness to stifle his own feelings in the interest of the country and of his earnest desire for peace.⁴²

Calhoun early expressed his entire disapproval of Webster's admission, as Secretary of State, that a person performing an act of public duty, as the British claimed had been the case with McLeod, could not be held personally responsible to the laws of a foreign country; and he put various instances to show the contrary.⁴³

A point of greater interest is, however, to be found a year later in Webster's McLeod Case Bill, the bill for further remedial justice in the District Courts of the United States, as it was called, which authorized the removal from the State Courts to those of the United States of any case of a person acting

⁴² Note by Francis Wharton of conversation with Calhoun on February 18 and 20, 1845, in "Correspondence," p. 644. "Congressional Globe," Twenty-fifth Congress, Third Session, pp. 238-40, where, however, the sequence of events does not seem to be precisely as Calhoun's memory of matters six years old represented it. Benton's "Thirty Years' View," Vol. II, p. 280, adds little.

⁴³ "Works," Vol. III, pp. 618-620. See this subject more fully gone into a year later in a speech (*ibid.*, Vol. IV, pp. 157-163) mentioned very shortly *infra*.

under color of foreign authority and affecting foreign relations. It was intended to prevent for the future such clashes with a foreign government as had arisen in the McLeod case from our complicated dual system.

Calhoun was opposed to this bill and spoke shortly against it, though he had not prepared himself nor had meant to speak.⁴⁴ He said it was an innovation both on the law of nations and on our Constitution, and that it went far beyond what the McLeod case called for. The British claim was based on their insistence that McLeod's act had been done in a *quasi* war, but the proposed law was to extend to times of profound peace, and cases of grave wrong to the laws of a State were to be snatched from their grasp. Suppose, as another Senator has suggested, a foreign emissary sent among us with a commission to tamper with our slaves, on the ground that slavery is contrary to the law of nations. His case can then be removed to the United States Courts, and where is the proof that the latter may not come in time to take the view of slavery held by the nation sending the emissary in question?

He had not, he said, examined the authorities but thought that, apart from persons connected with the diplomatic or commercial relations of the country, there were no cases in the whole range of the law of nations in which the authority of one State could grant immunity within the limits of another, in times of peace. If there were, he called on the chairman reporting the bill to name them. Here, perhaps, we have an instance of Calhoun's mental quickness, for the subject was apparently new to him. He knew, too, how to take advantage of a point; and when Berrien made no reply, said later that he felt justified in asserting that no such case existed. But skill in debate by no means always carries the day and, as is well known, the bill became a law.

Oregon, too,—destined soon to be a burning issue,—came up in this Congress on Linn's bill to erect stockade forts on the way, to make grants of land to settlers and to extend our jurisdiction over the region. On this subject also Calhoun

⁴⁴ *Ibid.*, Vol. IV, pp. 157-163.

spoke ⁴⁵ at some length, and advanced the same views which he continued to hold and some of which he pressed later on behalf of our government in another capacity. He thought the history of the matter showed that the territory really in dispute was that which lay between latitude 46° (the mouth of the Columbia River) and 49°. Our title to it, he thought, was clear, and in regard to the value of the land he expressed entire dissent from his colleague McDuffie, who had made the extraordinary blunder of saying that for agricultural purposes he would not "give a pinch of snuff for the whole territory. I wish to God we did not own it."

But the aggressive intent of the bill met Calhoun's entire disapproval. Members forget, he said, late events in the far East. Great Britain has very recently not only added enormously to the stability of her possessions in India, but has also firmly planted herself on the eastern shores of China. There, she is sure to maintain a strong naval and military force, which could easily and rapidly be transported across the five or six thousand miles of the Pacific Ocean to Oregon and thus she would soon have there, with the addition of friendly Indians and the hardy men in the employ of the Hudson Bay Company, a force with which we could not now contend. Our men must be transported by water over many thousands of miles of the most tempestuous seas, or must march afoot across the practically foodless region stretching all the way from our frontier to far-off Oregon. The bare march would take some one hundred and twenty days, if free from Indian opposition. It was impossible.

What then should we do, he asked; and his answer was that our course was easy and sure to lead to success. Our people were pressing west in great numbers and would soon be pouring down to Oregon in a way that would quickly settle the dispute for us, if only the opportunity were left to them. This spread of population, he said, was one of those forward movements, which leaves anticipation behind. Our frontier had with wonderful rapidity moved west a thousand miles during the short period of his connection with public

⁴⁵ "Works," Vol. IV, pp. 238-258.

affairs, and *time* alone is needed to give us the region "without costing a cent of money or a drop of blood. All we want, to effect our object in this case, is a 'wise and masterly inactivity.'"

It was then and has since been suggested by some carpers that Calhoun's purpose was to sacrifice far-north Oregon, in his eagerness to grasp Texas for his own section, but it will appear later that this contention will not stand examination, and barely two or three years of the tonic Time, which he prescribed, must be conceded to have had a potent influence in solving the problem. Perhaps, a touch of the methods of the candidate — he was then an aspirant for the Presidency — is to be found in his denial of unfriendliness to the West and calling on his acts to disprove an assertion to that effect which he thought Linn had made. The latter at once denied any such charge. Calhoun was inclined to vote in favor of the provision in the bill to extend our jurisdiction over our own citizens, as the British had already done years ago, but could not vote for the measure as it stood. It passed the Senate by 24 to 22,⁴⁶ but did not get through the House.

One other vexatious subject in our politics, which had been largely at rest for some ten years, came up again for settlement at about this time. The tariff, after the lurid outburst of 1832-33, was only heard of at intervals for ten years, but the Compromise of 1833 was to reach its final term in 1842 and the matter was therefore sure to be soon again agitated. The leaders on both sides had of course foreseen this, and for one Calhoun had referred to the matter in several instances during the interval of quiescence.

Thus, in his Report on Executive Patronage (February, 1835), was contained a resolution calling on the Secretary of the Treasury to inform Congress what duties could be reduced with due regard to the manufacturing interest, and when the answer to this came in, he moved its reference in December of the same year to the Committee on Manufac-

⁴⁶ This vote was on engrossment for third reading. That on final passage was not taken by Yeas and Nays, but was apparently the same. "Congressional Globe," Twenty-seventh Congress, Third Session, p. 240.

tures with instructions to report a bill accordingly.⁴⁷ Again in December, 1836, he suggested⁴⁸ that the last reductions called for by the Compromise Act were perhaps too sudden and it might be best for the North at once to make gradual reductions to a greater extent than the Act called for.

Calhoun evidently approached this subject with caution, and it may be assumed that he by no means wanted to renew the contest of a few years since. He more than once emphasized the fact that the Compromise Tariff had been a great boon to his section and that they should insist upon its full benefit.⁴⁹ When accordingly at the session of 1836-37 a bill⁵⁰ was brought in by Silas Wright from the Finance Committee repealing or reducing the duties on salt and some other articles, it was not unnatural, if we bear in mind the experience which Calhoun thought he had already had with Wright as to the Act of 1828, that he should be mistrustful. He made quite a long speech⁵¹ against the proposed bill on February 23, 1837, insisting that the Compromise should not be altered.

He and his friends, he said, would not vote for the very slight reductions proposed, although they were in the line of what they really wanted, for then their votes (whether the present bill should pass or fail), would be quoted against them upon future proposals to raise the rates. It was already coming to be asserted that the Compromise was no longer to be respected, and he saw reason to suspect, he said, that the pending bill was but a political manœuvre, intended by its framers to be defeated, and introduced chiefly with the purpose of forming a precedent for future alterations and to estop the South from objecting to such.

It was especially in this speech that he narrated the history of the Act of 1828, as he saw it, and insisted that the South

⁴⁷ Congressional Debates, Vol. XI, Part 1, 1834-35, p. 361; *ibid.*, Vol. XII, Part 1, 1835-36, pp. 52, 53.

⁴⁸ *Ibid.*, Vol. XIII, Part 1, 1836-37, p. 82.

⁴⁹ *Ibid.*, Vol. XIII, Part 1, 1836-37, p. 82; Speech of Sept., 1836, at a dinner at Pendleton, Niles's "Register," Vol. LI, pp. 77-79.

⁵⁰ Wright's bill is printed in the "Congressional Globe," Second Session, Twenty-fourth Congress, pp. 131, 132.

⁵¹ "Works," Vol. III, pp. 43-61.

had been misled and in effect duped by Wright and Van Buren.

"I must tell him,"—so he said to Wright,—“I lack confidence in him. I see in his bill a design, under the *show* of reduction, to revive the tariff controversy by which he and his party have so much profited at the expense of the country. . . . The entire South may well apply to the Senator [the words used by Tazewell, apparently, to Van Buren at the time of the Act of 1828] ‘Sir, you have deceived me once,—that was your fault; but if you deceive me again, the fault will be mine.’ I shall not assent to disturb the Act of 1833, in the slightest degree, so long as the manufacturing interests shall adhere to its provisions, be the conduct of the politicians what it may. Thus far they have firmly adhered.”

But his wish for reductions remained the same, and perhaps he saw or had even felt since 1833, that the Compromise Act would not be strictly adhered to. His real wishes and plans in the matter, we may assume, are expressed in a letter of June, 1837, to Robert M. T. Hunter, in which he wrote:

We begin to turn our attention to the readjustment of the Tariff under the compromise act. My mind is made up, that it ought not to be delayed beyond the next session, and that we ought to go for a uniform *ad val.* duty on all articles, without any discrimination; and such, I think will be the unanimous voice of the State. It is our only safe position, and if we can get the South to unite on it, its success is certain. It would give us a security, that we have never heretofore had under the government. I intend to devote a good deal of my attention to the subject before the meeting of Congress, and will probably make an early move on it. This, however, I write to you as a friend, and for your private ear, as it perhaps would not be advisable that what I contemplate should be known; but I hope, if you concur with me, that you will take such steps by correspondence and otherwise, as may prepare our friends for the movement in your State.

Nothing seems to have come of this plan, and doubtless the panic of that year and the financial troubles which followed were the cause of its silent abandonment. Calhoun

continued none the less to watch the general subject and in both 1839 and 1840 discussed the protective system at some length in several debates where it did not strictly arise.⁵²

Nothing was actually done until the special session of 1841. Among the many troubles with which the triumphant Whigs found themselves confronted at that time, a leading one was the lack of income. They attempted to meet it by the passage of a tariff bill,⁵³ which laid a 20 per cent. rate on all articles (with exceptions) then admitted free and also raised the rates on some unenumerated articles above that figure. The financial measures of their leaders were fairly characterized by this very unsuccessful producer of income and by the passing of a loan-bill, while at the very same session and in the face of such serious lack of revenue, they forced through another bill for distribution.⁵⁴

The latter measure had met its difficulties in the course of enactment, and as finally passed contained a proviso, which came to be known as the "safety-valve" and was later a thorn in the flesh to the party in power. It provided that if at any time thereafter, the tariff rates should be raised above 20 per cent. (the figure specified by the Compromise Act) the distribution should at once automatically cease. Its origin is not entirely clear, but the most probable explanation seems to be that it was known that Tyler would not otherwise sign the bill.⁵⁵

The distribution scheme with this proviso, was pushed

⁵² "Works," Vol. III, pp. 375-382, 407-439, 448-456, 456-462. See also letters to Hammond of February 23 and July 5, 1840.

⁵³ Act of September 11, 1841.

⁵⁴ We have another illustration upon this bill of the power that Calhoun's voice carried in South Carolina. After its passage, and when the Legislature was about to meet, he wrote Armistead Burt ("Correspondence," p. 496) that he trusted the State would "not only refuse to receive, but also to take the least control over the part allotted to it." The Legislature shortly resolved not to accept, and requested and enjoined the Governor not to appoint any agent to receive the portion due to the State. "South Carolina Laws," 1841. "Reports and Resolutions," pp. 35-43.

⁵⁵ This is the explanation given by Mr. Stanwood ("Tariff Controversies," Vol. II, pp. 15-17), and it appears to be the true one. The history of the origin of the safety-valve and of the change of position of the parties on it is there given. Calhoun asserted twice upon the floor of the Senate, in 1842, that it was well known to all that without the safety-valve, neither Distribution itself nor the Bankrupt Act could have become laws. "Works," Vol. IV, pp. 106, 172.

through, and only then was the already-mentioned tariff-bill passed, doubtless, as Calhoun charged, so as first of all to have distribution safely on the statute-books. And the tariff-bill was at once made to violate the safety-valve to some extent by a provision that the latter should have no application to certain of the rates levied by the new law. Calhoun opposed all this strongly and wrote of the tariff bill as "an abominable one," but it was very mild to what came at the following regular session.⁵⁶

The Compromise Act was then about to expire, doubts⁵⁷ were entertained whether by its terms any duties could be levied after its expiration, the Tariff of 1841 had produced little additional revenue and the federal treasury was so short of funds that some means to replenish it were imperative. In these straits, Clay introduced,—February 15, 1842,—a series of eleven resolutions⁵⁸ in favor of "retrenchment and reform." The general phrases of these were strongly in favor of economy, and there was equally a salvo to the effect that the terms of the Compromise should be adhered to as closely as possible.

When, however, the prose of particulars was reached, it was surely a strange sort of retrenchment which the great Whig leader proposed. Not only did the resolutions affirm that, where "adequate" revenue could not be secured by the 20 per cent established by the Compromise Act, the rates should be raised to a higher figure, but the design, at that very hour of financial low-water, was to drain the treasury still drier by another distribution, and there was a specific

⁵⁶ "Congressional Globe," Twenty-seventh Congress, First Session, pp. 427, 428. Letter of Sept. 1, 1841, to his son-in-law.

⁵⁷ Calhoun, as well as numbers of others, took this view. "Congressional Globe," Twenty-seventh Congress, Second Session, p. 734. The question was later carried to the Supreme Court, where the decision was that the rates could be levied after the Act's expiration (*Aldridge v. Williams*, 3 Howard, 9). McLean dissented, and Prof. Taussig ("Tariff History," ed. 1889, p. 112) thinks that the dissent and Reverdy Johnson's argument against the view taken by the court present a very strong case.

⁵⁸ "Congressional Globe," Twenty-seventh Congress, Second Session, pp. 235, 236. Calhoun wrote to his son-in-law on April 3, 1842, that they were introduced by Clay, before his withdrawal from the Senate, "as his farewell move; the object of which mainly was to put up the flag of the protective system anew."

resolution,—to make distribution secure,—that the safety-valve proviso to the act of the special session ought now to be repealed.

Calhoun was, of course, opposed to all that portion of the resolutions that looked to an increase of the rates, and on March 16, 1842, spoke against them "for upward of two hours and a half in a masterly review of the tariff question involved."⁵⁹ In a later speech on August 5, he said that the bill was "infinitely worse" than the Act of 1828; but it passed the Senate the same day by 25 to 23, only to be returned to the House four days later without the President's approval.

This was one of the vetoes which caused the sorely disappointed Whigs so many tears of sorrow and was based on the fact that the measure proposed the total repeal of the "safety-valve" proviso to the Distribution Act of 1841. Already, in the end of June (1842), Tyler had vetoed what was known in the language of the day as "the Little Tariff Bill," which had, owing to the delay in passing the main bill, proposed to fix the rates of duty for a limited period after the expiration of the Compromise Act, but directed a distribution during that period without regard to the proviso of the Act of 1841.⁶⁰

There is doubtless pathos in the trials of the unhappy Whigs of that day, with their high hopes dashed to the ground by an accidental President, but after all the experience

⁵⁹ "Congressional Globe," Twenty-seventh Congress, Second Session, pp. 322, 323. The speech is to be found in *ibid.*, "Appendix," pp. 225-230, or in "Works," Vol. IV, pp. 100-139. Calhoun wrote to his daughter that this speech was thought by many of his friends to be "the most effective I ever delivered. It was, for me, unusually long. I was two hours and a half in the delivery." "Correspondence," p. 505.

⁶⁰ "Congressional Globe," Twenty-seventh Congress, Second Session, pp. 694, 695, 802, 808, 814, 848, 849, 852, 867, 868. Calhoun's speech of August 5 is in *ibid.*, "Appendix," pp. 771-775, and in "Works," Vol. IV, pp. 171-201; for an earlier speech by him, see the "Globe," *ut ante*, pp. 620, 621, or "Works," Vol. IV, pp. 164-171. Dr. Schouler writes ("United States," Vol. IV, p. 409) that at some stage of these proceedings the rumor was that Calhoun was parleying with the President. I have found no evidence directly to this effect, at the time in question, but it has been seen that he was earlier offered a cabinet position, and in the beginning of 1843 and in 1844, during the Presidential contest, Van Buren's friends were constantly writing of the Calhoun-Tyler coalition. See "Calendar of Van Buren Papers," pp. 485, 511, 522 and *passim*.

was by no means unmerited after their ill-inspired choice of the strong States-Rights Democrat Tyler. In this particular instance, after some sputterings of impotent rage, they quickly submitted to the inevitable and brought in another general tariff bill, omitting the repeal of the "safety-valve" proviso. Calhoun spoke against it on August 28, but the bill passed the same day by a majority of one (24 to 23), the Senate amendments were quickly agreed to by the House, and the measure approved by the President.⁶¹

Thus at length was enacted a new Tariff Bill, to take the place of the Compromise Act of 1833. It was a distinctly protective measure, "by far the most elaborate tariff act passed up to that time," and the scale of rates is said ⁶² not to have been substantially different from that established by the Act of 1832, which had been nullified by South Carolina. During the debates, it had been asserted that the bill was provisional and would ere long be extensively modified. The necessity to pass some measure to produce greater revenue was very plain, and it was apparently this crying need which induced not a few democrats to vote for the bill, in spite of Calhoun's warnings as to the difficulty of ever reducing rates.⁶³

In South Carolina there was at once great indignation and for two years and more mutterings as to nullifying the Act of August 30, 1842, were rife among some of the leaders. Calhoun himself had thrown out a hint of nullifying in one of his speeches ⁶⁴ during the debate on the bill, but he went

⁶¹ Act of August 30, 1842. "Congressional Globe," Twenty-seventh Congress, Second Session, pp. 950, 960, 963, 964, 973. Calhoun's main speech is in *ibid.*, pp. 958-960, and in "Works," Vol. IV, pp. 201-212.

⁶² Stanwood's "Tariff Controversies," Vol. II, pp. 28, 29. Taussig's "Tariff History," p. 113.

⁶³ Calhoun's "Works," Vol. IV, p. 204.

⁶⁴ Referring to those of his friends who intended to vote for the bill, he said, that "he would tell those who were about to take the fatal step, that they were about to do what could not be undone short of the extreme medicine of the constitution," "Works," Vol. IV, p. 206. See also letter from Francis W. Pickens to Calhoun, dated November 8, 1842, and showing that Calhoun had written Pickens a letter which evidently discussed the possibility of Nullification. Pickens advised strongly against it, urging the differences of the circumstances from those of ten years earlier: "Then you were in the pride and glory of full manhood, and had as gallant and as glorious [a] band of friends devoted to you as ever man had. . . .

no further and was later the power which stopped the movement. Hamilton wrote⁶⁵ two years afterward that he had always thought South Carolina should at once have called a State Convention to consider State Interposition, and Hammond,⁶⁶ too, it will be shortly seen, came at about the same time to think they had made a mistake in not acting immediately. Nothing was, however, actually done at the time except to send to Congress a remonstrance against the act from the Legislature of 1842, in which it was resolved that the law was a "breach of faith" and "ought to be resisted," but that they would wait for the time being in hope of relief from the incoming Democratic party.⁶⁷

Still other events occurred at about this same time to inflame Southern feeling. Congress incontinently refused even to consider their propositions for the reduction of the tariff of 1842. The Methodist Episcopal body was in the very act of breaking apart into a Northern and Southern half on the express ground that slavery was so unspeakably outrageous that no slaveholder could be permitted to appear in their pulpits. The sect thus put a brand of crime on every Southern man and seemed intentionally to add insult to injury. In addition to all this, the movement to annex Texas was then very active throughout the South, while in the North the most bitter opposition to it was constantly shown and finally in June of 1844 the Treaty of Annexation was rejected.

Even before this event, numerous meetings had been held in various Southern States, at which a determination was very plainly shown to bring about annexation with the view

But how is it now? You are at a different period of life, and your past friends dead or broken."

⁶⁵ Niles's "Register," Vol. LXVI, pp. 420, 421.

⁶⁶ He had not at the time favored Nullification, as is shown by his letter of September 10, 1842, to Calhoun, printed in the "Calhoun Correspondence." He was then expecting to be elected Governor, in pursuance of some agreement made two years earlier, when he was defeated by Richardson, and perhaps he did not want to complicate matters by a new and leading issue.

⁶⁷ "Acts of the General Assembly of South Carolina," 1842, pp. 87, 88. Niles's "Register," Vol. LXIII, p. 363. At the session of 1840 resolutions strongly against a tariff for protection and asserting the State's right to act had been passed (Niles's "Register," Vol. LVIII, p. 310), and in 1841 the Governor's Message had intimated the same thing. "Acts," etc., 1841, "Legislative Proceedings," pp. 6-21.

of maintaining Southern power and thus to avoid (what they so naturally dreaded) the passing away from their hands of any control in the Union. They knew well enough, that, should this occur, not only would tariff laws be passed against their interest but slavery would be curbed and probably in time even abolished. Any human being with their environment would have dreaded this, and the masterful Anglo-Saxon race of the South struggled against it to the death.

At these meetings much was said of a Southern Convention, while all were for Texas and one resolved in favor of its annexation to the Union, "or if the Union will not accept it, then of annexing Texas to the Southern States." In Gilsonville in the Beaufort District, a meeting resolved that "if we are not permitted to bring Texas into our Union peacefully and legitimately, as now we may, then we solemnly announce to the world, that we will dissolve this Union sooner than abandon Texas." Robert Barnwell Rhett was said to use the laconic expression "Texas, with or without the Union."

In some instances the tariff, too, was considered and in South Carolina separate State action was advocated to nullify it.⁶⁸ At about the time of the adjournment of Congress in June, 1844, an effort was made to get up an address of the Southern members in favor of a Southern Convention but failed. The South Carolina delegation then tried to unite in a circular to their constituents recommending State action, and some at least signed it, but "at the eleventh hour Calhoun came in and broke it up, chanting praises to the Union and peace."⁶⁹

Rhett had drawn up this address, but seems to have been the only man decidedly in favor of the plan. It must have

⁶⁸ Niles's "Register," Vol. LXVI, pp. 179, 229, 230, 311-14, 369, 370, 391, 392. *Ibid.*, Vol. LXVII, pp. 5, 6. The Charleston "Mercury," May 25, 1844. Hammond to Calhoun, June 7, 1844. Hammond papers, in Library of Congress. Hamilton to Calhoun, June 14, 1844, printed in "Calhoun Correspondence," pp. 962, 963. The Texas movement was widespread throughout the Southern States: see accounts of it in Justin H. Smith's "Annexation of Texas," pp. 204-210, and in McMaster's "United States," Vol. VII, pp. 360-364.

⁶⁹ Hammond's "Diary," under date of October 25, 1844, in Library of Congress.

been at about this time that he sent south an address to his constituents rather advocating early State action, but still with hesitation. Others, who were not held back by the brake of responsibility, were bolder, and "Cato" wrote in the *Mercury* of July 20:

There is a singular indecision manifested by the people of our State in regard to their present course of action. . . . Where are our leaders? Where is the *Mercury*? Never until now has its voice faltered — now! when that voice should be as the trumpet sounding to arms. Where is Mr. Calhoun? It is whispered about that he will not abet any decisive movement. . . . But one man has boldly spoken, and we honor him for his courage. But even Mr. Rhett, while the whole of his late address to his constituents sets forth the necessity of immediate State action on the tariff, himself counsels delay.

Such agitation among the fiery Southrons, when they had so many really grave causes for anxiety as to their future, was sure to find a vent, and it was not long before the waters fairly boiled over. Rhett was urged by some of his friends to come south, and on July 31 a dinner was given to him at Bluffton in his district. After that date Cato had no longer cause to complain of indecision as to one of the leaders. In his speech, Rhett quickly and unhesitatingly set aside as impracticable or inefficient all the remedies proposed except secession or nullification, and recommended the immediate calling of a State Convention to meet after the rising of the next Congress.⁷⁰

Nor did he stand alone. Anonymous newspaper writers could easily keep up the agitation, but there was more than this. Holmes of the South Carolina delegation in Congress wrote publicly in reply to "Hampden" that he was unequivocally of opinion that the proper remedy was "*Resistance,—combined State Resistance, if you can procure it. If not, then State Resistance.*" And finally the *Mercury* spoke. John A. Stuart was then its chief editor, but had for some time taken little hand in the management, owing to sickness.

⁷⁰ The Charleston "Mercury," July 20, August 8; Niles's "Register," Vol. LXVI, pp. 345, 346, 406-411.

None the less, suddenly and without warning, and apparently much to the displeasure of his associate, the issue of August 7 contained an article of nearly four columns upon "Our Position and Pledges," signed "J. A. S." This pronunciamiento leaped at once *in medias res* in its very opening words:

When like mushrooms on a rotten trunk, personal issues sprout rank and rife from the corruption of the times, it is patriotic as well as prudent to be chary in taking sides on any of them, lest we be involved in *committals* to cliques and *men*.

And after this alliteration, the writer went on that he had theretofore said but little, because the time for action was near and because of his long absence, but the burden of the four columns was distinctly for "resistance by separate State action."⁷¹ Here was a most powerful aid, and other meetings were soon held at which Rhett was "listened to with deep and absorbing interest," as he set forth his ideas and told the people that "the only hope of the South is in resistance." A breaking away from Calhoun's counsels was at once indicated, and even at Bluffton one of the many toasts had been:

"John C. Calhoun,— We will follow him as long as he is true to us."

Soon, it is said, papers in other parts of the country spoke of him as "dethroned," and looked upon Rhett as the true head of the party.⁷² Calhoun was not, however, so easily to be thrust aside, and despite the excitement caused by Rhett's agitation, the latter seems to have had little solid backing. None of the great leaders went with him. Hammond was for the time silent, whatever he may have thought later would have been the best course. McDuffie, then breaking in health and evidently vacillating, expressed openly in one instance his regret at Rhett's course.⁷³ And Hamilton, who returned South from New York soon after the Bluffton meeting and had

⁷¹ "Mercury," July 26. Stuart's article is reprinted in Niles's "Register," Vol. LXVI, pp. 406-408; see also F. H. Elmore to Calhoun, August 26, 1844, in "Calhoun Correspondence," pp. 967, 968.

⁷² Niles's "Register," Vol. LXVI, pp. 345, 346, 410, 411; *ibid.*, Vol. LXVII, pp. 5, 6.

⁷³ *Ibid.*, Vol. LXVII, p. 89.

probably recently seen Calhoun, wrote publicly (August 8) that the State was not now ready for separate action, and they must await the result of the Presidential election. These opinions were, he added, in conformity with those of Mr. Calhoun.⁷⁴

There had already been whisperings in the public prints that such was the great leader's view, and Calhoun wrote later showing his early disapproval of the agitation and adding that he had had to meet it "with great delicacy, . . . but firmness." Precisely what were the steps instigated by him can of course not be accurately determined. His lieutenant Elmore, finding in Charleston that Memminger and the opposition generally wanted to use the outbreak to foment a breach between Rhett and the moderate Democrats and even to demand pledges against State action for quite a period, forestalled this design, took the initiative, and of his own motion called a mass meeting at Charleston for August 19. At this meeting resolutions were unanimously passed of unchanged confidence in Calhoun and adding that they ought to await the result of the election, as well as expressing great hopes from Polk. At the same time, room was left for peace with the Rhett faction by the added opinion that they should try to secure united action with the other States, while in the event of the failure of these efforts South Carolina could for herself decide on the mode and measure of redress.⁷⁵

Other like meetings were held, and Cheves, at least, of the great leaders came out in a long letter (almost one whole page) in the *Mercury* of September 11, to deny the current story that he was in favor of resistance. Perhaps, he had been urged to do this by Calhoun, and his reasons at least bore a striking resemblance to those generally urged by the friends of the latter. It was not long before the fact became apparent that the Bluffton movement, fiery and furious though it had seemed, would meet strong opposition in South Carolina

⁷⁴ Niles's "Register," Vol. LXVI, pp. 420, 421, 436.

⁷⁵ The Charleston "Mercury," August 21. Niles's "Register," Vol. LXVI, pp. 314, 345, 346, 369, 434-437. Calhoun to Francis Wharton, September 17, 1844, in "Correspondence," p. 616; Calhoun to Thomas G. Clemson, October 7, 1844, *ibid.*, p. 624; F. H. Elmore to Calhoun, August 26, 1844, *ibid.*, p. 967.

herself; and Richmond and Nashville, both of which had been proposed for the Southern Convention, resolved separately, protesting against the desecration of their soil by the holding of any convention having disunion in view.

In South Carolina some more Rhett meetings were held, at which he stuck to his guns,—insisting that they had no other course and that the State was pledged to action by her resolutions of recent years. “We must resist or perish,” it was urged. But even at these very meetings the opposite view came also to the front. Toasts and speeches advocated for instance “looking rather to Fort Hill than to Bluffton,” while the proposed State Convention was spoken of as “premature, uncalled for and resulting in nothing.” In one instance, quite a series of toasts alternately favoring Calhoun and Rhett were offered as if the proposers had been answering each other.⁷⁶

The flash in the pan was ere long pretty much at an end, and we may doubtless assume that Calhoun’s delicate but firm methods were the chief factor in bringing about this result. Nor was his party rent in twain.⁷⁷ On September 23rd, the *Mercury* contained a long editorial article⁷⁸ on the general political situation, in the course of which, while still expressing the belief that separate State action was necessary as a means of leading to coöperation among the Southern State, it in effect gave up the contest. We did, it said, think the question had best be decided at once but have been disappointed as to unanimity. “We are willing not to press the question now and we refrain the more willingly inasmuch as we are assured that as soon as certain party objections are out of the way, all of our friends of the states rights party hold themselves pledged to State resistance if the tyranny still exists.”

But in spite of the fact that the fever for resistance thus

⁷⁶ Niles’s “Register,” Vol. LXVI, pp. 437; *ibid.*, Vol. LXVII, pp. 5, 6, 26-28, 44-46, 89; Francis W. Pickens to Calhoun, Sept. 9, 1844, “Correspondence,” pp. 968-71.

⁷⁷ Far from it. They elected the whole delegation to Congress and every member of the State Legislature. The popular vote was about 56,000 to 3051; Niles’s “Register,” Vol. LXVII, p. 165.

⁷⁸ The article is in part reproduced, but without date, in Niles “Register,” Vol. LXVII, p. 102.

seemed to be controlled, lurid discussions⁷⁹ continued to appear in the columns of the *Mercury* now and then over the signatures of contributors who hid their identity under the name either of some ancient Roman or other favorite of the writer; and there was a sharp outbreak upon the meeting of the Legislature on November 25. Hammond's message showed clearly enough that he was then in favor of resistance, and he wrote members that "it devolves on South Carolina to decide what course she will pursue in reference to the tariff." But here again Calhoun's influence soon curbed the rising storm. His friend and connection, Pickens, introduced very moderate resolutions in favor of not then taking action and expressing confidence in Polk and the Democratic party: and the Senate adopted these unanimously, after Pickens had, according to the *Mercury*, made a "furious onslaught" on the message.⁸⁰

During the discussions over these resolutions, the *Mercury* thought that "the Bluffton boys," as the Hotspurs were called, were gaining ground, while the *Courier* could see far less support for them than did its contemporary.⁸¹ Vacillation marked the proceedings beyond question, but it is only fair to add that the circumstances were most difficult and changeable.⁸² Thus, it was not unnatural that when late in the session news came from Washington that the House of Representatives had rescinded the rule to exclude abolition petitions, these Southern men, born and bred to slavery and so dreading the results of abolition, should all join in denunciation of this "flagrant outrage."

Pickens himself introduced resolutions thus characterizing the action of the House and adding that any legislation upon the subject would be a dissolution of the Union, and these passed the Senate and were sent down to the House. But

⁷⁹ Crallé wrote Calhoun as late as September 23, 1845, that Rhett had, evidently at a recent date, declared that if the tariff was not brought down to the Revenue standard at once, "the State would nullify, and that if you did not go to the full with them, they would throw you overboard."

⁸⁰ The "*Mercury*," August 31, and *passim* thereabouts; November 28, 29, and 30; Niles's "*Register*," Vol. LXVII, pp. 227, 228, 281, 282.

⁸¹ The "*Mercury*," December 3 and 5. The "*Courier*," *passim*.

⁸² It was at this same session that occurred also the episode of Hoar's well-known mission, and that the Governor was directed to expel him.

there, together with the first set of resolutions adopted early in the session upon motion of the same member in reply to the urgency of the message for resistance, they were repeatedly postponed and only acted upon at all at the very end of the session. And even then, after such vacillation that the *Courier's* correspondent wrote in the paper's issue of December 21 that "this night's session . . . was the most *undecided* and *conflicting* scene that I ever witnessed," the resolutions against resistance were only passed by 57 to 39, while those in regard to the abolition of the 21st rule were, much to Pickens's discomfiture, postponed by 55 to 38 to a day after that of adjournment.⁸³

It is hard to imagine any other solution of all these varying movements and in particular of the practical defeat of the resolutions as to the abrogation of the 21st rule, but that some powerful influence was strongly exerted in favor of avoiding violent courses, and the only likely influence is that of Calhoun, who had already in this instance shown his desire to steer clear of dangers to the Union.⁸⁴ Other and less honorable motives were, of course, attributed to him by some contemporaries, as will soon appear, but the judgment of history will be slow to accept these slurs of men who had just felt the sting of being crushed by him.

⁸³ The "Mercury," December 18, but it seems to have failed to report the later proceedings. The "Courier," December 21. Niles's "Register," Vol. LXVII, pp. 256, 272, 297, 298, also reproduces these matters in part. Pickens wrote to Calhoun on December 28 ("Correspondence," pp. 1015-17) explaining his defeat and how it had been brought about.

⁸⁴ Earlier in this contest, the "Courier," long anti-Calhoun and generally opposed to separate action by South Carolina, began to speak more kindly of him, so that the "Mercury" of July 20 asked editorially why it was forever harping on Calhoun's devotion to the Union. Did he ever say anything else? it asked, and added that he had always said that State interposition was a great conservative remedy, looking to reform and only to be resorted to in extreme cases. This was probably all a part of a story of Calhoun then rife in Charleston (see the "Courier" of July 18 and the "Mercury" of July 25) that at one of the meetings of the South Carolina delegation in Washington near the end of the session, "when an intemperate manifesto or address, squinting awfully at separate State action on the Tariff and perhaps something worse in regard to Texas [was offered] Mr. Calhoun frowned on the project; and begged that all present would take note, that if there was any man in the Union who prized that Union more than any other man in it, he was that man." "An Old Nullifier," who wrote of this story to the "Mercury," thought Calhoun could not have taken such a position; but the story seems to have been in effect told by Holmes at a public meeting in Charleston on July 16.

Hammond was the leading factor in this final effort to secure separate State action, and the complete failure of his effort was gall and wormwood to him. A proud and masterful man, he could not endure the result without bitter feeling against those who so easily defeated him, and all his violent passions at once flamed out. Suffering as he did, and often incapacitated from illness of body, morbid in mind,—so that he complains once in his “Diary” of being deserted by God and man,—bitter and often desponding, his judgments of contemporaries can by no means be accepted at par; but he was intimate with Southern affairs and much that he wrote is historically very valuable, when allowance is made for the infirmities of his mind and body. A diary he kept at this time is illuminating and must be quoted here, but the present writer would be very sorry to take its judgments of the motives of Calhoun and others. On October 25, 1844, he entered the following words:

South Carolina should have nullified the Tariff Act of 1842, at that time. When she accepted the compromise of 1833, it was with the distinct understanding that she would again resort to her remedy if it was violated. In 1842 it was utterly & unscrupulously abrogated by the Tariff act of that year. But we did nothing. I will candidly own that I was as supine as any. The truth was I believed the only sure remedy was the dissolution of the Union & I was not ready to propose that on account of the Tariff. I no longer believed in Nullification as a *peaceful & constitutional remedy*. I do not now believe in it *as such*. At that time too we had fair promises from the Northern Democrats & the recent election had given them a majority in the next Congress. And more we were deluded into the belief that Mr. Calhoun stood a good chance for the Presidency. And could he be elected with a Democratic majority in the House we might hope to reform the Government. Some or all of these views doubtless influenced the State as Nothing was done. [After referring to recent public events adverse to Southern wishes, he goes on to say of the Buffton movement.] The *Mercury* sustained the Whig papers denounced & no others took an active part. It was soon understood that Calhoun was opposed to State action & every body was paralyzed. After a while Rhett ceased to agitate. The *Mercury* became tame. Mr. Calhoun returned to Soka early

in this month & has silenced it altogether & every body. We are as calm as the dead Sea. He has been seeking an interview with me. I shall not avoid it — but do not desire it & shall not go far for it.

I can see no reason for his course, but his desire to obtain the Presidency. He is Sanguine that Polk the Dem. Candidate will be elected. So deluded enough to believe that he can control and succeed him & that if he was President he could cleanse the Augean Stable. . . .

It is so obvious that every body but Mr. C. & those who look through his glass can see it. Yet he does not. A few flatterers & designing northern Democrats who believe that by holding out these hopes to him they can keep SoCa & the South quiet have completely blinded him. I have no doubt that this was the game played in 1842 & that every thing said at the North (except here & there he had an admirer) like supporting Mr. C. was designed to prevent us from Nullifying as it now is. We fell into the trap then. Mr. C. has fallen into it again over head & ears & is straining every point to drag in the State & the South. He limits the forbearance of the State to *two years*. Why? Because he thinks two years will settle the question of his succession to the Presidency. If he is to be elected of course he will still oppose it. If he is not — he will be for doing any thing. What a reckless sporting with the vital interests of the South and the honor of SoCa thus to place them & use them as entirely secondary & subsidiary to his elevation to the Presidency. Yet he is to my eyes clearly guilty of it.

If SoCa takes no action this year on the Tariff & Abolition she is disgraced & destroyed. . . .

Believing as I do I shall meet the crisis as I think my duty requires. But I have no expectation but utter failure. The State will do nothing but what Mr. C. wishes now. There is only one hope. If Mr. Clay is elected President which is highly probable Calhoun may out of hatred to him attempt at once to make war on the Fed. Gov. & call up Nullification. He may still however wait until our Session has passed in the vain hope of seeing some straw on the surface at which he may catch. It is clear to me that in his ambition to be President he has forgotten or recklessly trampled on every thing else. Yet I paid \$500 a year ago⁸⁵ to advance him to that office.

⁸⁵ To found a newspaper in Calhoun's interest.

Then, again:

24 Nov.

A large proportion of the Members of the Legislature have I understand arrived. The immediate friends of Mr. Calhoun & *their* friends are extremely decided against State action & most of the rest are paralyzed. Some have called on me. None — not even Stuart of the *Mercury* & Gen. Bonham are for action. *Wet-blanketed* by Calhoun & Co. Pickens has denounced the late movements in this State as ultra, unwise & unpatriotic. *His* object is to break down Rhett, as Calhoun's is to sell SoCa for his miserable chances for the Presidency. My Message will I fear find few or no supporters. I am not at all disappointed in the state of things. I have foreseen it ever since the Charleston meeting in August to repudiate Rhett. Nothing will be done. Doing nothing will be in fact going backwards & I fear the moral influence of SoCa will be sacrificed forever & with it all will be lost. A Separation of the States at no remote period is inevitable. It might now be effected peaceably & properly. A few years hence it must take place in blood or the South remain in it as a subjugated region. . . .

28 Nov.

Pickens resolutions passed the Senate to-day *unanimously*. A great triumph to him — & rather mortifying to me I must confess. I did not expect *unanimity*. I express great indifference & feel much of it. But it is a hard hit. I rather think it is also a shock to public sentiment. Some of the Senators will rue it. They are under a Calhoun panic. In the House there is great confusion. . . .

A large number of resolutions have been introduced & the debate was very warm. Col. Fair brought in resolutions⁸⁸ to call a Southern Convention *which I penned myself* — I think a Southern convention cannot be obtained. But to call it will be doing *something* — saves the honor of the State & forms a platform for future action. No one but Fair knows my agency. It will bother the quidnuncs. Most of the politicians of the State

⁸⁸ Fair's resolutions are printed in the "Mercury" of December 3. His first and chief one was to the effect "That the wisest and safest mode of redressing the acknowledged grievances of the Southern States of this Confederation will be for them to assemble in Convention and devise the proper measures for their common relief." The others regulated details and fixed March, 1846, as the date. Charleston was suggested as the place, but this was to be decided by a majority of the States in question.

are pledged to go for a Southern Convention & I don't see how they will get around it. . . .

The truth is — as it was just now confessed to me by Elfe a Senator — the resolutions passed the Senate because it was thought Mr. Calhoun wished it — & for no other reason. Shameful as it is the fact is so, that that body has acted without reflection on the subject simply in accordance with what they suppose to be the wishes of *One man*. Thank God there is a different spirit in the House — tho' to what extent is not yet determined — I hope the best & will hope in spite of all the despair around.

While treating of the tariff it will be best to finish the history of that subject during Calhoun's life. Not much more remains to be said. He continued to think then and to his dying day that Wright and Van Buren had been the main authors both of the Act of 1828 and of that of 1842. In the earlier case, according to his view, deception had been practised, and in the latter distinct pledges had been violated which had been extracted from them and their wing of the party. As he wrote on December 4, 1843, Van Buren and his party were forced to give "pledges . . . after the catastrophe of 1837, and before the election of 1840, in their Address, especially in reference to the tariff and abolition; and also . . . in adopting the resolutions I offered in the Senate, in relation to abolition."⁸⁷ Until this was done, "we refused to co-operate with them, except on the sub-Treasury and other matters, which we had supported; or to join them in an Address."

He evidently hoped that Polk's term might see a reduction, and this had been one of the inducements he held out to stop the Bluffton movement of 1844. His relative, Pickens, spent two days in Polk's house in the early autumn before the elec-

⁸⁷ "Correspondence," pp. 553, 562, 564, 573. Calhoun evidently referred principally to the Address of July 6, 1838, of the Republican members of Congress to the People of the United States (Niles's "Register," Vol. LV, pp. 5-8), the utterances of which upon the subject of abolition have already been referred to (*ante*, p. 159). Upon the tariff, the same Address argued strongly in favor of an economical administration of the government and of so regulating the duties as to produce no surplus. See also the party platform of 1840, which declared for the orthodox Democratic doctrines of economy and of raising no more money than was needed. Charleston "Mercury," May 13 and 21, 1840. Calhoun's resolutions are considered, *ante*, Vol. II, pp. 155-159.

tion and wrote Calhoun on September 9 that he had gone over the whole ground with his host and had found that "*Everything* is perfectly satisfactory," and that the first thing Polk had determined to do was "to reduce the Tariff of 1842 to a revenue measure entirely and upon the principles of the compromise act."

But at least by April following, Calhoun had his doubts and wrote Pickens that he did not think Polk contemplated "the adjustment of the Tariff as a part of his system of policy, but on the contrary it is to take, under another name, General Jackson's position of a judicious Tariff, as a middle ground between the free trade party and the advocates of the protective system."⁸⁸ Rhett, too, derived much this same impression in the following autumn from conversations with Polk, Buchanan and others, and so wrote Calhoun on September 18. The consequence was that Calhoun feared at times that nothing would be done and wrote Hammond on September 28, 1845, that it was then too early to decide on the course of action to follow in that event, "except that we shall withdraw all support from those in power, if they should deceive us."

When the session of Congress came together, he was more hopeful.⁸⁹ Before his arrival in Washington, he had been elected chairman of the Committee on Finance, which had charge of tariff questions in the Senate, but was excused at his own request, on the ground that the duties of the position would make too great demands upon his voice.⁹⁰ It may, no doubt, be assumed that his selection was a plain indication of the intentions of the leaders in regard to the tariff, and perhaps he was able to exercise quite as much influence without holding the chairmanship. When the bill was brought in, he seems to have openly taken little active part, but on July 30, 1846, after its final passage, he expressed the hope to a correspondent that it was "but the first step to a strictly revenue bill. The Whigs are already rallying for its repeal. The

⁸⁸ Letter to Pickens, April 1, 1845, printed in the "South Carolina Historical and Genealogical Magazine," Vol. VII (1906), pp. 12 *et. seq.*

⁸⁹ "Correspondence," pp. 675, 692, 700, 701.

⁹⁰ "Congressional Globe," Twenty-ninth Congress, First Session, pp. 37, 153.

country will be deeply excited at the next election. I do not fear the result." A foreign observer tells us⁹¹ that it was at about this date that she saw Calhoun for the last time before leaving the country, and adds that "after a struggle of two and twenty years, Truth and *He* had been successful, but no personal exultation sparkled in his eye, or triumphed in his words."

The passage of the Act of July 30, 1846, was certainly a great victory, but the hope for further reductions was not realized. Still, that Act itself did away with all specific duties and minimums, and made in general large reductions in the rates. Nor was it changed in any material respect for eleven years. It thus not only had a longer life than any of our tariff acts,⁹² but remained upon the statute-book for several years after Calhoun's death.

⁹¹ "The Statesmen of America," by Sarah Mytton Maury, p. 183. Mrs. Maury refers this event to the morning after "the free trade" resolutions were carried in the House.

⁹² Stanwood's "Tariff Controversies," pp. 69-83.

CHAPTER VIII

CALHOUN AND THE PRESIDENCY

The Campaign of 1844 — Growing Popularity of Calhoun as a Candidate — Withdrawal from Contest — Appointment by Tyler as Secretary of State in Place of Upshur.

CALHOUN had, beyond doubt, early in his career been strongly fired with Presidential aspirations, quite as much so as have many others of our leading public men. It has been seen how these early hopes met with disappointment, but they remained strong for years and probably not until near his death did he give over hoping at times for success.¹ These longings of middle and later life, however, were far from being constantly with him, nor did he apparently fail to see the burden the office would entail, while the glamour in which early youth had decked it out, had entirely gone by that time. In this latter period, indeed, he often wrote intimates of not wanting the position and, though these statements must not be accepted as a full exposition of his real feelings, they had, at least, no little basis to stand on. Perhaps we shall come

¹ The following shows how a hostile contemporary critic viewed his aspirations, but is of course strongly colored with partisan dislike: "Mr. Calhoun's misfortune is a fixed idea concerning the presidency. In a sane moment he disclaimed it the other day, and sometimes in a lucid interval acts consistently and wisely. But let it be said of him in half a dozen papers 'that he is winning golden opinions from all men—that no man stands so high in the respect of all men not of his own party,' &c., &c., and presently the Rhetts and *id genus omne* proclaim that either the Whigs or the Democrats (no matter which) have a mind to drop their own candidate and take him. Then presently the frenzy begins to work." B. Tucker to Hammond, March 13, 1847, in Hammond Papers, in Library of Congress. And Hammond tells another story in the matter, at about the same date. He had recently dined with Calhoun and thought him much broken in the last four years. "He seems tamer," Hammond wrote, "than I ever saw him and at this *moment* entirely despairs of *ever* being President. He said he stood no chance. 'I don't think you do,' said Boner who went up with me, and who very politely agrees to almost everything said. . . . Calhoun looked rather blank at this 'voice from Georgia.'" Hammond to W. G. Simms, June 15, 1847, in same.

as near the truth as is possible, if we suppose that in some moods the burning ambition of youth fired again his more sober years, while at other times the oncoming of age and its slow enervating decay drove him to prefer rest and quiet to the dreadful struggle he knew to be an unavoidable incident of the Presidency.

His own course,— and that of his advocates upon the subject in the years down to about 1840,— has already been sufficiently considered, and it has been shown that at this latter date there was some effort to create a movement in his behalf as the successor to Van Buren, but that this found no support. For the next term, however, covering the years 1845 to 1849 and actually filled by Polk, a most persistent canvass was made by his friends and himself. It long promised well to all appearance, but failed entirely in the end. At the same time it will serve to show his methods and perhaps recall to many some experience of more modern days in which a thinker has had every apparent promise of success in attaining a lesser office, but the appeal made to the reason of voters and perhaps the very purity of the methods employed have in the end hopelessly failed against the burrowing methods of practical politicians on the other side.

Probably, the Presidency was pretty clearly in the minds of Calhoun and his friends for the term to follow Van Buren's expected second administration. The two erstwhile enemies had smoothed over their differences for the time, owing to the great aid Calhoun's support of the Sub-Treasury plan had brought to the sorely-pressed President, and there is some appearance that the latter and his supporters aimed, at about this time, to cultivate closer relations.² Of course, the crushing defeat of Van Buren in the autumn of 1840 ended any

² Calhoun was asked to deliver an oration in New York City on July 4, 1840, and, though declining, wrote quite an elaborate reply ("Works," Vol. VI, pp. 313-318). In August of 1841, also, he was asked by the ex-President to deliver a Lecture before the New York Lyceum, and in September John Van Buren invited him to attend a mass meeting in the State,—evidently in flattering terms. Calhoun declined in both instances ("Correspondence," pp. 485, 493), as he had also declined, again in a carefully written reply, an invitation to attend a barbecue in Virginia in 1840 ("Works," Vol. VI, pp. 318-321).

plan of union between them, for Van Buren then wanted for himself the nomination in 1844-45.

Calhoun took a very prominent part during the special session of Congress, which met in May, 1841, and presumably in this action of his the Presidency was not out of view. By the fall of that year, efforts in his behalf were under way in several quarters. On September 24 he wrote Hammond from his mine in Georgia:

Let me add in reference to myself. I found the prospect good both in Virginia and N. Carolina. I have no doubt but that in both States I am by far the strongest. My friends in the latter State intend to make a movement, I understand, in my favour during the next session of the Legislature. If it should be done either there, or in this State, my impression is, that it would be advisable to follow it up in our State. The State, I think, ought not to take a course, that would seem too forward or too indifferent. It is a point I rarely touch, in correspondence or conversation. Apart from a sense of duty, and a desire to do all I can to carry the country and especially the South through their present difficulties, I have no desire for the office.

Despite these protestations on his part, it is evident that leaders in other States also had been approached. Ritchie, of the Richmond *Enquirer*,—almost ever a determined opponent of Calhoun,—had been written by the latter, and the answer³ seems to show that the purpose of Calhoun had been to sound Ritchie as to the Presidency. Leading politicians in Georgia, Virginia and South Carolina had also been written to by him. In South Carolina the feeling was, of course, favorable; but the opinion was added⁴ that it would be ruinous to make a move on his behalf at that time in his own State. In Georgia, the letters which have been preserved and which of course come from trusted friends, express much this same opinion, but their writers wanted to postpone action. Lumpkin answered that it was the opinion of "the whole Circle of your devoted friends (including myself) that the time has not yet arrived for a general and public agitation of the

³ "Calhoun Correspondence," pp. 838-841.

⁴ *Ibid.*, pp. 834-838.

Presidential question." It is apparent that Van Buren had some strength there, against which the leaders were not ready so early to array themselves.⁵

Calhoun expressed acquiescence in this conclusion,⁶ but he could hardly do otherwise, and at about the same time he wrote to relatives that Van Buren was the only man who could stand in his way but was making no progress, "while I am constantly gaining"; and again in November he wrote that many of his friends thought the time had come when his name ought to be presented for the next Presidency, and added "It is my own impression that, if it is ever intended, now is the time."⁷

Dixon H. Lewis, an ardent friend, very quickly sent Calhoun's speech of February 28, 1842, on the Veto Power to Crallé of the Lynchburg *Virginian*, urging its publication with comments and adding that "in doing this, it is necessary not to make them so strong as to be considered a nomination for the Presidency, and at the same time not so weak as to convey the idea that the writer does not think him fully worthy of that high distinction."⁸ Robert M. T. Hunter, too, who had then recently become a man of much mark in Virginia, was an aid in that State, as will shortly appear.

All went well enough for a time and he and his friends were eminently satisfied. Hammond, not inclined to be exuberant as to any one, wrote in his "Diary"⁹ on September 11, 1842, "Mr. Calhoun is evidently in the ascendant. . . . It seems to me Calhoun must be the man, unless he kicks over the pail of water of which there is much danger." But with such growing prominence on his part, the friends of other candidates began of course soon to try and drag him down.

He was charged with being an opponent of universal suf-

⁵ *Ibid.*, pp. 829-834.

⁶ *Ibid.*, p. 499.

⁷ *Ibid.*, p. 495.

⁸ "Calhoun as seen by his Political Friends," in "Southern History Association Publications," Vol. VII, p. 356. Nearly 50,000 copies of this speech were circulated (*ante*, Vol. II, p. 233).

⁹ Library of Congress. Again on June 10, 1842, Hammond wrote that Calhoun's prospects were better than ever before, but added: "I never have had any confidence in them. He is too anxious, and foolishly thrusts himself into any little issue—making enemies and losing friends."

frage and not in sympathy with the growing spirit of democracy, two newspapers in New York specifying that he had "thanked God that a property qualification existed in South Carolina," but the answer was that no such clause did exist in that State or had existed for very many years.¹⁰ Still, the charge doubtless had its effect, and his views on the Dorr dispute in Rhode Island were also used against him. These views were in some way known more than a year before his letter¹¹ of July 3, 1843, on the subject was published, and they were hardly such as to be popular. Calhoun did not believe in unbridled democracy and the rule of a mere majority acting in violation of constitutional provisions, nor did he hesitate to express his opinion. The consequence of all this was that Lewis feared in 1842 that Calhoun would be "jockeyed out" of the election, and Pickens wrote that they were "stacking the cards against him."¹² These anxieties were, however, probably but as petty incidents in a great battle.

A question of some importance arose from the fact that Calhoun was at the time a member of the Senate. Should he remain and incur the risk,—which had so injured him in 1827 and 1828 as to proposed tariff acts,—of having, perhaps, to take the unpopular side on some important question, or should he resign; and, if the latter, when? This was discussed to no little extent, and some difference of opinion existed among his friends, but finally the decision was reached that he should sit during the session of 1842–43 and then retire. He accordingly sent in his resignation to the Legislature, by letter dated November 26, 1842, to take effect at the end of the coming session,¹³ and the next day he wrote Hammond, wanting him to prepare an article for the *Caro-*

¹⁰ The New York "Morning Post," as quoted in the Charleston "Mercury" of October 15, 1842. See also "The (New York) Peoples' Guide" for August, 1842, p. 318.

¹¹ Calhoun's "Works," Vol. VI, pp. 209–239.

¹² "Calhoun as Seen by his Political Friends" in the "Southern History Association Publications," Vol. VII, pp. 356–358. Pickens' view is quoted in Hammond's "Diary" of June 10, 1842.

¹³ Calhoun's letter explains that his resignation was sent in so early because of the well-known policy of the State to fill the office in advance and thus avoid a vacancy. The South Carolina Legislature usually sat but a few weeks toward the end of the year.

linian to accompany the letter's publication, outlining salient points in his career and suggesting the addition that he sought rest now, "after more than thirty years uninterrupted and faithful and laborious service in the cause of the Union. That it now remains for the people of the United States to determine how long he shall continue in retirement," or whether he should be called to the Presidency as the man who most plainly possessed the qualities needed to reform the Government.

By this time there had been several movements on his behalf in different States. The Democrats of Mecklenburg County, North Carolina, had unanimously nominated him in August, 1842, and the *Republican* of Washington, in that State, hoisted his flag at about the same time.¹⁴ In Alabama, the Greensborough *Beacon* proposed in November a convention of that State, Louisiana, and Mississippi to consider his claims for the office, and ere long Alabama declared its preference for him and for a late convention. The Alabama *Tribune*, too, of which Niles said that it was "one of the most influential papers and has one of the most talented editors in the State," placed his name at the head of its columns as its favorite for the presidency.¹⁵ Resolutions in his favor, also, were offered in the Georgia Senate in December, 1842, and were defeated by only 6 votes, the Whigs of course voting Nay. It was said that a large majority of the Democrats were in his favor, and perhaps this was borne out by the later course of the State. Louisiana and Mississippi showed signs before long of being in his favor.¹⁶

In the North, too, his friends were much encouraged in the fall of 1842. Rhett wrote that at a meeting of Tammany in October Calhoun's name was greeted with immense applause and was sure that the society would soon be entirely for him. In Pennsylvania, so Rhett added, Van Buren was impossible, while in New England great hopes were entertained from Woodbury's¹⁷ efforts. At the Democratic Convention, held

¹⁴ Charleston "Mercury," September 10 and November 14, 1842.

¹⁵ *Ibid.*, November 14, 1842, and February 7, 1843; McMaster's "United States," Vol. VII, p. 336; Niles's "Register," Vol. LXV, pp. 404-405.

¹⁶ Charleston "Mercury," December 16, 1842, and January 24, 1843.

¹⁷ From April 1, 1843, the Charleston "Mercury" printed at its head

in Boston in the fall, an attempt to nominate Van Buren was said to have been given over,¹⁸ because the majority was soon found to be for Calhoun, and a few months later, in the New Hampshire Convention, Woodbury succeeded in preventing the expected nomination of Van Buren, while as to other points the convention supported the contentions of the Calhoun wing.¹⁹ Early in 1843, too, Michigan showed signs of being in his favor and the Mt. Clemens *Patriot* and one other journal, both said to be leading ones in the State, placed his name at the head of their columns, while a popular meeting in Detroit nominated him, but added that it would stand by the choice of the party.²⁰

As the autumn of 1842 wore away, Calhoun's friends were full of hope.²¹ And when the South Carolina Legislature met toward the end of the year and his resignation was referred to a special committee, though there seems for a time to have been doubt as to what to do, this did not last. Very soon, in pursuance of the recommendations of the Committee, which led up to its main conclusion by some flourishes as to the regret that would be caused to the State by his retirement but for the "belief that his talents . . . are soon to be de-

the name of Levi Woodbury for Vice-President, together with that of Calhoun for President.

¹⁸ "Correspondence," pp. 851, 852. Not very much later (June, 1843) George Bancroft thought very differently of Calhoun's prospects in Massachusetts and wrote that recent elections showed that any one favoring Calhoun would meet with sharp rebuke. To this he added the following rather spiteful story of Calhoun and another Presidential aspirant at that time: "Yet both Mr. Webster and Mr. Calhoun believe they are to become president. Each has wished to get the other out of the country, that a fair field might be had. Last winter Webster personally proposed to Mr. Calhoun to go to London on a special mission to regulate the tariff by treaty. Mr. Calhoun pleaded his age, his inexperience in that service, his want of acquaintance with European life. 'There is but one man,' added he 'who can accomplish anything.' But Webster would not go." Letter of June 6, 1843, to Van Buren in Van Buren Papers, in Library of Congress. Calhoun's name had also been mentioned in 1839 for the suggested special mission to Great Britain to settle the dispute in regard to the North Eastern boundary, but he replied that no one should be sent but a citizen of the section concerned, Speech on the Treaty of Washington in "Works," Vol. IV, p. 213.

¹⁹ "Correspondence," p. 865.

²⁰ Charleston "Mercury," January 24 and February 8, 1843; McMaster's "United States," Vol. VII, p. 338; Niles's "Register," Vol. LXIII, p.

²¹ 214.

²² "Correspondence," pp. 850, 857-859, 865.

voted, upon a more enlarged arena, to the whole Union," the Legislature formally nominated him for the Presidency. They had theretofore been restrained, they said, by considerations of delicacy, but had "witnessed with a high gratification the growing disposition of the Democratic Party throughout the Union" to call him to the highest office. It was recommended that his administration should be put on the broad basis of "Free Trade, Low Duties, no Debt, no connection with Banks, Economy, Retrenchment, and a strict adherence to the Constitution."²²

In March he was once more nominated in the 6th South Carolina district,²³ and in May by the State Convention at Columbia, the latter body also electing two delegates at large in his favor to the National Convention, and recommending that the remaining delegates should be elected "one for each Congressional District by the people thereof," and that "the vote in the said General Convention should be *per capita*."²⁴ The Georgia Convention also nominated him in June and instructed its delegates to vote for him at Baltimore, without naming an alternate; an effort was then made to propitiate the defeated Van Burenites, but the latter were not satisfied and took steps to re-open the matter, while Hammond at least of Calhoun's friends thought that the convention had gone too far in overriding the Van Buren element and deciding the question at such an early date. The *Savannah Georgian* headed its columns with his name.²⁵

With all these moves in his favor, it need not cause wonder that by July he thought all the States south of Virginia safe for him, and that she would have been safe but for the influence of Ritchie. To this he added once more: "I care but little about the result. I have neither pride nor ambition

²² South Carolina Laws, 1842; Journal of Senate, 44, 101, 108, 109; Charleston "Mercury," December 5, 10, and 24, 1842; also see Niles's "Register," Vol. LXIII, p. 226. The words selected as the basis on which he was to be run were taken almost exactly from his speech of August 5, 1842, on the passage of the Tariff Bill, "Works," Vol. IV, p. 201.

²³ Charleston "Mercury," March 13, 1843.

²⁴ *Ibid.*, May 25, 1843. Niles's "Register," Vol. LXIV, pp. 248-252.

²⁵ Charleston "Mercury," June 9 and 10, 1843. "Correspondence," pp. 868-70, 891, 892.

to gratify. I regard the office as a high responsible trust."²⁶

Virginia was of course of the utmost importance to a Southern candidate and persistent efforts were made to gain it. In September, 1842, Calhoun addressed an enthusiastic following at Petersburg,²⁷ and in the summer of 1843 a newspaper in his interest was established at Petersburg under the editorship of Robert Greenhow, the plan being to remove it later to Richmond as a counterweight to Ritchie's²⁸ always hostile *Enquirer*, but it was thought by friends that the new sheet,—the *Republican*,—was much too violent and that the cooler *Enquirer* constantly got the better of it.²⁹

In Washington, too, a newspaper,—the *Spectator*,—had been founded in Calhoun's interest in April of the same year, with Joseph A. Scoville (in later years his private secretary) as editor. But Scoville seems to have been looked upon as highly indiscreet and to have shown private letters about, and Calhoun's friends got him out of the position. Rhett was then for a time the only editor; but efforts were made to induce R. M. T. Hunter to take the place, and it seems that finally Greenhow was transferred to Washington and took up the duties. At about the time of Scoville's removal, the paper was evidently in serious money difficulty, and subscriptions had to be raised. Hammond gave \$500 and another individual \$400, while Elmore agreed to raise \$10,000 in the South, if half that sum were raised in the North. It was originally a weekly, but was changed to a tri-weekly by Rhett.³⁰

²⁶ Letter to Micah Sterling, dated July 8, 1843, in the collection of John Gribbel, Esq., of Philadelphia.

²⁷ Ambler's "Thomas Ritchie," p. 227.

²⁸ Prof. Walmsley writes that Calhoun's defeat for the nomination was brought about by Ritchie and Robert J. Walker. Ritchie was certainly a chief factor in the matter, but I have found no evidence that Walker was, and early in the campaign Calhoun hoped that Walker was in his favor and wrote positively that he was "decidedly opposed to Van Buren." ("Correspondence," p. 510). Prof. Walmsley's "Paper on the Return of Calhoun to the Senate in 1845," "Annual Report of American Historical Association for 1913," Vol. I, pp. 161-65.

²⁹ "Correspondence," pp. 865, 874.

³⁰ The Charleston "Mercury," April 13, 1843. "Calhoun Correspondence," pp. 535, 859, 865, 873, 885, 940. Prospectus (undated) contained in the Markoe and Maxcy Papers, Vol. January, 1843, to December, 1844, in Library of Congress.

New York was equally of vital moment, then as to-day, and every effort was made to start a newspaper there. At first, in June, 1842, *The Plebeian* was to have been the Calhoun press, but something went wrong with this plan and in January, 1843, the *Morning Post* was fixed upon. It had, according to the *Charleston Mercury*, been the leading champion of the South in the North, but had at least on one occasion printed anti-Calhoun matter, and this effort also of his friends must have come to naught, for in the fall of the same year Rhett went on to New York, with the result that in December the *New York Gazette* became "the new Calhoun paper." Apparently also, a press in his interest was set up in Utica.⁸¹

In regard to the methods by which Calhoun's campaign was looked after, some of his friends in South Carolina early "formed a sort of Committee for Consultation as regards the Presidential election," with Elmore at its head. The members worked by correspondence and otherwise in different States assigned to them, and like Committees were later formed in Virginia, New York, and probably in other States. There was, moreover, a suggestion made in September, 1843, for the creation of "a Central Committee of one or more members from each State," and some effort at least was made to accomplish this end.⁸²

The "Autobiography" of 1843 should also be mentioned. Possibly it was owing in part to a letter of Elmore of November 2, 1842, who wrote of New York: "There is a great desire there to know more of you,—a short sketchy account of your life and services is much desired." The "Autobiography" was issued anonymously from the press of Harper and Brothers as if it were an ordinary campaign biography written by some undisclosed friend. Later Robert M. T. Hunter was supposed to be the author, but after Calhoun's

⁸¹ "Calhoun as Seen by his Political Friends," in "Southern History Association Publications," Vol. VII, p. 360. The *Charleston "Mercury,"* January 6, 1843. "Calhoun Correspondence," pp. 872, 879, 881, 882, 885, 886. Niles's "Register," Vol. LXV, pp. 230, 231. Calendar Van Buren Papers, p. 889. Alexander Jones was apparently the editor of the "Gazette." "Calhoun's Correspondence," p. 1018.

⁸² "Correspondence," pp. 857, 872-874, 879, 940, 1018.

death, it was discovered to have been written by himself.⁸³ With it was issued by the same firm a pamphlet entitled, "Speeches of John C. Calhoun delivered in the Congress of the United States from 1811 to the present time." This title was objected to by the *National Intelligencer*, and a charge made that it intentionally suppressed early speeches; but Calhoun answered that he did not publish the pamphlet and had tried to have a more strictly accurate title used, but was too late.⁸⁴ We need not bother ourselves here over this trifle.

The method of making nominations for the Presidency was not yet at that time fixed, though the National Convention was coming strongly into favor. Calhoun did not approve of this device, and it was asserted early in the campaign that he had stated his determination not to submit to the decision of a national convention but to be a candidate, "nomination or no nomination." He at least advised his friends that nominations should not be made specifically subject to the decision of a convention but "to abide by any fair expression of opinion of the Democratic or Republican party," and he also urged that the Convention should be postponed to as late a date as possible.⁸⁵

On the other hand, Van Buren's supporters favored the Convention method and wanted it held at an early date (August, 1843), and they favored the appointment of the delegates by general ticket, while Calhoun wanted district elections and that each delegate should vote individually, as he preferred. This view of his was in close accord with opinions he had held as long ago as 1818, when he favored the plan of Benton and others for a constitutional amendment to district the States and to refer the election back to the States, in case there should be no choice. These two points as to the time of calling the convention and the method of constituting it were

⁸³ *Ante*, Vol. I, p. 31.

⁸⁴ Niles's "Register," Vol. LXIV, pp. 382, 383.

⁸⁵ Niles's "Register," Vol. LXV, p. 112, quoting the "North American." "Calhoun Correspondence," p. 516. The few Presidential conventions down to this time, had generally been held as early as December of the year preceding the election, but Van Buren's second nomination was in May, 1840, less than a year before the election and at the time for which Calhoun's friends contended in 1844.

long bitterly contested between the two factions, but gradually Calhoun's contention for a convention in May, 1844, received the support of so many States (New Hampshire, Massachusetts, Rhode Island, Pennsylvania, Michigan, Maryland, Alabama, Mississippi, Louisiana, Kentucky) that Van Buren's friends abandoned the point. There was, of course, no general decision as to the method of appointment, and different States acted differently.⁸⁶

In January, 1843, the Democratic State Convention of Indiana addressed questions to candidates as to their opinions on various subjects, and, among others, whether they would abide by the action of the Convention and support its candidates. Van Buren and others were, of course, not embarrassed, and at once gave the required pledge. With Calhoun it was different, for it is plain that he and his friends had in view his nomination by some other means, in certain contingencies. He replied that the question seemed to assume that he was a candidate, seeking the office, while such was not the case and his name was not presented by any solicitation of his. But he added, in order, of course, to smooth over the difficulty: "I have, however, no reason to doubt, but that they will cheerfully abide by the decision of a convention, fairly called and fairly constituted, that would allow ample time for the full development of public opinion, and would represent fully, equally, and fairly, the voice of the majority of the party."⁸⁷

The answer, of course, meant anything or nothing, as Calhoun might please, and presumably it was the cause or pretext of a resolution passed at the Virginia State Convention in the beginning of the following March to the effect that "any individual, however eminent, who refuses to abide by the decision of a fairly elected and fairly conducted national convention, and to give its nominee his cordial support, forfeits his claim to the confidence of the party." Calhoun was strongly op-

⁸⁶ "Calhoun as Seen by his Political Friends," in "Southern History Association Publications," Vol. VII, pp. 360, 361; Calhoun's Address to his Political Friends (February, 1844) in "Works," Vol. VI, pp. 246, 255, *et seq.* The Charleston "Mercury," February 8, March 15, April 29, May 25, 1843.

⁸⁷ Niles's "Register," Vol. LXIV, p. 167.

posed to this declaration and (*more suo*) soon saw in it "a heavy blow against . . . the Constitution itself." He wrote on April 8: "I have made up my mind, that I will not permit my name to go before a convention, which is not calculated to bring out fully and fairly the voice of the party. I regard any other as a fraud on the people." It should be added that this Convention in Virginia had been entirely controlled in Van Buren's interest and had supported all the contentions of that faction. In April, too, Hunter and other friends of Calhoun, were defeated for re-election in Virginia.³⁸

These rebuffs pointed to coming defeat, and it was not long before that result became very apparent, though hopes were still entertained by some. As late as September, 1843, Calhoun himself was full of hope³⁹ and one of his friends wrote⁴⁰ that he learned from a reliable source that four of the delegates chosen from Vermont were friendly to him, but felt it necessary to add that this fact ought not to become known openly, "as we should have to fear that they might be instructed adversely." Such an attenuated basis of hope was a frail reliance, and perhaps other instances in the past in which the Calhoun camp had built on like slender foundations, were the cause that led the politician Duff Green to write to Calhoun from London on August 2, 1842, fearing his defeat, "unless you are wise in time." Calhoun replied⁴¹ that Green had "not formed a correct estimate of the state of things on this side of the Ocean." But doubtless Green adhered to his own view.

The practical politician would have found a sad lack of wisdom, too, in the candidate's reply of May, 1842, to a letter from Louisiana in regard to the tariff on sugar. Calhoun wrote of the great dangers to the South then looming up, and went on, as to cotton and sugar, that he would "see full justice done to the latter, to the extent that it can be effected by my exertions. I can, however, agree to no duty but such as the

³⁸ Niles's "Register," Vol. LXIV, p. 22. Calhoun "Correspondence," pp. 526-531. Ambler's "Thomas Ritchie," pp. 229, 230.

³⁹ "Correspondence," p. 547.

⁴⁰ *Ibid.*, p. 878.

⁴¹ *Ibid.*, p. 545-547.

revenue may require; and none so high on any article as will push it beyond the greatest amount of revenue that can be derived from the article. These are the limits within which I may act, and with [within?] them, exercise a sound discretion. But in determining the amount of revenue required, I shall expect economy and retrenchment."⁴²

Highly honorable as these words were to Calhoun, they were of course strongly dissented from in the sugar-growing region and did not smack of that "practical" tendency to which the public man must so often bend. We shall find, too, that Louisiana did not in the event support him for the nomination.

A most serious defeat was met in New York early in September, when the State Convention nominated Van Buren and appointed the whole body of delegates to attend at Baltimore, in accordance, as Wright and others said, with "the established usages."⁴³ Calhoun's friends at once protested against this action, and public meetings were later held in the metropolis at which denunciation was rife. It was thought steps would be taken in each Congressional District to send delegates to Baltimore, in accordance with the idea of the Calhoun managers,⁴⁴ but these plans came to naught. Probably about this time Calhoun pretty much made up his mind not to allow his name to go before a convention organized as it was evident the Baltimore one would be, with such vast power in the hands of a few leading politicians from large States.

Maine also failed him at about the same time,⁴⁵ and, a little later, Connecticut.⁴⁶ In December Alabama nominated Van Buren and defeated a resolution declaring Calhoun their second choice,⁴⁷—despite its prior leaning to the latter,—and Louisiana resolved in January that Van Buren was the first choice of the people of that State.⁴⁸ Ere this it was openly

⁴² Niles's "Register," Vol. LXIV, p. 204.

⁴³ Charleston "Mercury," August 26, 1843, and *post*.

⁴⁴ *Ibid.*, September 11, 15, 18, 19, and October 4, 1843. Niles's "Register," Vol. LXV, pp. 53-55.

⁴⁵ Calhoun "Correspondence," p. 875.

⁴⁶ *Ibid.*, pp. 944, 945.

⁴⁷ Charleston "Mercury," December 19, 20, and 22, 1843. "Calhoun Correspondence," pp. 921, 922.

⁴⁸ "Calhoun Correspondence," pp. 913, 914.

said that Calhoun's friends in South Carolina admitted his defeat,⁴⁹ and Ritchie and some newspapers were recommending him for the Vice-Presidency on the ticket with Van Buren,⁵⁰ a proposal which was apparently treated with the silent scorn it deserved.

Among Calhoun's intimates, Rhett was by this time of opinion that neither he nor Van Buren could succeed, in the way things were going, and that the only course was for each section to nominate the most popular man within its limits. If the Democrats will go for free trade "and sustain the Texas question—and run you—we can succeed."⁵¹ Hamilton scorned the idea of withdrawing, which was advanced by many, but said he grew more and more opposed to going into the "den of thieves" at Baltimore. Calhoun ought not to have been run, Hamilton went on, as a democrat, but on his own record as a war republican of 1812. My advice would be "Stand firm and wait the progress of events."⁵² Pickens wrote from Charleston of the rumors current there that Calhoun was about to refuse to go into the Convention and of the consequent utter confusion, and thought the best plan would be to do nothing until the meeting of Congress. Let all be present, then, he said, five days before the meeting and decide on the best course.⁵³

One object in view was to control the organization of the House of Representatives. The same end had been to some extent gained at the session of 1839-40, when Robert M. T. Hunter of Virginia was elected speaker after a struggle by a combination of forces, in which the State rights party was an important element. Hunter had been first sent to Congress by the Whigs, but in the confused state of parties then prevailing had supported the sub-Treasury and tended to State rights. These actions and his refusal to promise that he would favor Van Buren's claims nearly led to his defeat for re-election, but he succeeded by a narrow margin and was

⁴⁹ Niles's "Register," Vol. LXV, pp. 217, 230.

⁵⁰ *Ibid.*, p. 203. Charleston "Mercury," December 16, 1843.

⁵¹ "Calhoun, Correspondence," pp. 887, 888.

⁵² *Ibid.*, pp. 891-894.

⁵³ *Ibid.*, pp. 889, 890.

soon in a position of much power as Speaker. This office of course enabled him to help Calhoun very considerably.⁵⁴

An effort was again made by the Calhoun forces, chiefly under the leadership of Rhett, to organize the House at the session of 1843-44. Rhett communicated with Dallas and Wilkins of Pennsylvania, with the view of electing the latter as Speaker. Wilkins readily "fell into our policy,"—or, as Maxcy put it, "without hesitation gave the necessary pledges in regard to Committees, the 23rd rule, &c.,"—and Rhett thought he had the matter settled, until Ingersoll and Buchanan arrived and (chiefly the former) broke up the plan. Rhett and Calhoun's friends were persuaded to go into the caucus upon the subject, expecting to control events by adopting the two-thirds rule, but the Van Buren men unexpectedly agreed to this proposal and then easily elected their man as speaker on the first ballot, as well as all the other officers. It was a crushing defeat and very far from creditable to the political skill of the defeated leaders, and was thought by Calhoun's friends to necessitate his withdrawal from the convention and to render his election impossible, except in one contingency.⁵⁵

The annexation of Texas was then coming to be a burning question in the South, and it has been seen that Hamilton thought that Calhoun could even yet perhaps be elected on that issue. Rhett, too, though he thought Van Buren by this time sure to be the nominee, was convinced he would be beaten, and wrote in the letter already cited that Calhoun ought carefully to keep in position for them to rally on him after Clay's term. Perhaps, he also had Texas in view. Hunter wrote Calhoun at this same period that Texas would "force you again upon the theatre of public action,"⁵⁶ while Maxcy was even plainer yet. Both he and Hunter had been told by Upshur confidentially, but with leave to inform Calhoun, that a treaty for the annexation of Texas would be presented that

⁵⁴ "Correspondence," pp. 435-437. Ambler's "Thomas Ritchie," p. 212.

⁵⁵ Rhett to Calhoun, in "Correspondence," pp. 898-900. Virgil Maxcy to Calhoun, *ibid.*, pp. 896, 897, 900-904. R. M. T. Hunter to Calhoun, *ibid.*, p. 907. Niles's "Register," Vol. LXV, pp. 230, 231. See also John Quincy Adams's "Memoirs," Vol. XI, pp. 442, 443, 444.

⁵⁶ "Correspondence," pp. 906-908.

session, its terms having "already been agreed on and written out." Maxcy⁵⁷ was clearly of opinion with the others that Calhoun must soon publicly withdraw his name from the coming convention and added that there was only one thing that could alter this, "and that is the immediate calling up of the Texas question, which may possibly unite the South and by weakening Clay bring the Southern candidate into the house."

Evidently with a view to this end, Maxcy thought that Calhoun's "manifesto," whenever it might come out, should embrace the three topics of "Convention, Tariff and Texas," and he also suggested, as had Upshur in conversation with him, that Calhoun "ought at once to write a letter as if in answer to one from myself [or some one else] making inquiries of you as to your opinions on the subject [of Texas] in case it should come up, which letter I should at once publish after the Communication by the Executive [of the Treaty] should be made."

Only three days after the date of this letter of Maxcy, Thomas W. Gilmer wrote precisely such an inquiry to Calhoun, and this inquiry of December 13 was answered by Calhoun on the 25, not for publication but with leave to show to such friends as Gilmer should wish.⁵⁸ Doubtless, it was shown to many and formed one of that sheaf of letters, which Gilmer and other Texas propagandists used with such effect, to the infinite disgust of Benton and some others, who looked upon the whole agitation with the utmost suspicion.⁵⁹ So far as I know, the letter was not published.

Early in December of 1843, rumors began to circulate that Calhoun had withdrawn or resigned, as the stories variously called it. These were denied at times by the public press but continued to crop up into January of the new year.⁶⁰ The

⁵⁷ *Ibid.*, pp. 896, 897, 900-904.

⁵⁸ "Correspondence," pp. 559, 560, 904-906.

⁵⁹ Benton's "View," Vol. II, pp. 581-590, 600, *et seq.* Benton looked upon it as a President-making and a disunion scheme, and was of course at once in a fury which fairly blinded him. The former charge had, as has been shown, some truth back of it, but the latter was absolutely without basis as regards Calhoun. It was during this very time that the Bluffton movement was stopped by him.

⁶⁰ Niles's "Register," Vol. LXV, pp. 217, 230, 280, 305, 332, 371, 372,

truth was that under date of December 21,⁶¹ he had written a letter to members of the South Carolina Central Committee "giving his reasons for withholding his name as a candidate for the Presidency from the Convention." The letter was not intended for immediate publication, but only as a draft and was for some time under anxious consideration by his friends. It was generally agreed that he should withhold his name, but some thought without for the present giving reasons and others wanted special parts of his draft omitted or altered. The desire still to hold his name in reserve for possible developments appears again here in the information given him by Elmore that his friends "think if any act of Providence should before the election open a way to the Presidency for you, that you should not by any step not absolutely called for, put a barrier in your way."⁶²

The result was that, as Calhoun later wrote Duff Green,⁶³ "in conformity with your urgent desire and that of several other friends, I omitted the part, against my own judgment, in reference to the tariff," and apparently some personalities against Van Buren and Wright⁶⁴ in regard to that subject. The letter was printed in the Charleston *Mercury* on January 29, but had evidently been seen by the editor earlier, for on the 27th his paper ceased to print Calhoun's name at the head of its columns, in accordance, as the editor thought, with Calhoun's intentions. The *Spectator*, in Washington, also, ere long did the same thing.⁶⁵

Such had not been Calhoun's wish, and he wrote Duff Green⁶⁶ later: "The withdrawal of my name was without

404, 405; "Calhoun as Seen by his Political Friends," in Southern History Association Publications, Vol. VII, p. 419.

⁶¹ This appears to have been the date of the letter, as originally sent. Charleston "Mercury," January 29, 1844. The consideration long delayed its appearance, and as printed in his "Works" (Vol. VI, pp. 239-254) it is merely dated "Feby., 1844."

⁶² F. H. Elmore to Calhoun, in "Correspondence," pp. 908-913.

⁶³ *Ibid.*, p. 568.

⁶⁴ Elmore's letter to Calhoun of January 13, 1844 (*ibid.*, pp. 911-13), seems to indicate that the letter as first drafted contained the story as to Tazewell's very personal remark to Van Buren at the time of the passage of the Act of 1828, and something in regard to Calhoun's distrust of Wright (see *ante*, Vol. II, pp. 243, 244).

⁶⁵ Charleston "Mercury," February 8, 1844.

⁶⁶ "Correspondence," pp. 568, 569.

authority from me, and was neither consistent with the Address or the position that I had taken in the canvass. It was for them (the Central Committee in Charleston) and my friends and supporters to withdraw it, and not myself, if they should think proper. I have written to the Editor of the *Mercury* to correct the error; not that I wish my name to be continued before the public (far otherwise) but I wish to avoid the imputation, to which the unauthorized withdrawal on my authority might expose me"—presumably meaning of having been an active aspirant. The question was, moreover, discussed in the newspapers, and the Pendleton "*Messenger*"⁶⁷ printed what it said was an authorized version of the letter and pointed out the differences. They do not seem to have been very material, and the essence of the matter is summed up in what has just been quoted from Calhoun's letter to Green.

Some move in Calhoun's favor, evidently with the design of again bringing him into prominence as a presidential candidate, was planned by his brother-in-law at about this time, but its exact nature cannot be learned. Calhoun wrote him on February 14 that the plan was the one which ought to have been followed but it was now too late. "I cannot permit it," he went on,⁶⁸ "and should it be persisted in, I should feel myself compelled to come out in disapprobation of it. I hope therefore that the proposed meeting in Abbeville will not take place . . . and I rely on your friendship to avert it." A little later than this, too, Pickens wrote⁶⁹ Calhoun of a caucus in Charleston, at which resolutions of his were passed not to attend the Baltimore Convention and that "your friends should distinctly hold your name in reserve and under control, and that it might be our sacred duty to vote for you finally." The great difficulty, he added, had been to get Calhoun's name back again, but this was attempted in the *Mercury* in an article drawn up to meet the general view of his resolutions.

Another plan⁷⁰ was on foot, too, started apparently by Cal-

⁶⁷ Niles's "*Register*," Vol. LXV, pp. 404, 405. It is also stated by Niles that the "*Republic*" of New York, edited by Duff Green, maintained that Calhoun was still a candidate.

⁶⁸ "Correspondence," pp. 569, 570.

⁶⁹ "Correspondence," p. 933.

⁷⁰ See the "*Mercury*" of March 2 and 19. Niles's "*Register*," Vol.

houn's friends in New York, to call a convention in Philadelphia or New York on July 4 to nominate candidates for President and Vice-President, and the *South Carolinian* is quoted ⁷¹ as asking why the South Carolina delegates should not be elected to that body, instead of the Baltimore one, which they could not attend.

However seriously these designs were intended, nothing came of them.⁷² The National Convention method of nomination had by that time acquired a good deal of strength, and only some very extraordinary state of circumstances could have enabled Calhoun, or any Democrat, to obtain a respectable number of votes against its nominee.

Calhoun's letter of withdrawal,⁷³ carefully scrutinized, was clear enough, but the position taken was ultra refined as well as a strange one to assume, and it caused no little embarrassment to his friends, who had to decide in haste what course to follow in regard to it at critical moments, without conference with him. For a candidate to maintain at the end of a long

LXV, pp. 404, 405, 66, *ibid.*, 23. Calhoun Correspondence, p. 567. Benton's "Thirty Years' View," Vol. II, pp. 590, 594.

⁷¹ Niles's "Register," Vol. LXVI, p. 43.

⁷² Calhoun saw very clearly that such would be the result, and wrote his brother-in-law on February 7 ("Correspondence," 567) "The Philadelphia convention will be an abortion, and, if it should not, will present a miserable struggle between Johnson's, Cass', Tyler's and my friends, for a barren nomination."

⁷³ The following language contains the essence of the position he assumed: "I then, after the most careful and deliberate survey of the ground, have decided that I cannot permit my name to go before the proposed Convention, constituted as it must now be, consistently with the principles which have ever guided my public conduct. . . . Having now assigned my reasons for refusing to permit my name to go before the Baltimore Convention, it rests with you who have placed it before the people, and assented to abide by a Convention fairly constituted, to determine what course you will pursue.

"Be your decision what it may, I shall be content," but I shall support no protectionist nor any one who countenances abolition agitation. "Works," Vol. VI, pp. 240, 252, 253. His chief objections to the Convention were that delegates had been elected en masse in some instances by the State Conventions and were to vote as a unit, so that the Baltimore Convention would present the absolutely novel scene of the "delegates of any State voting by majority and counting per capita." His contention was that the only fair way to choose the delegates was by district and that they should vote per capita. Appointments en masse did not represent the popular choice but were dictated by leaders, who would thus wield the whole vote of the State in question with the result that the managers in a few large States would entirely control the choice of the convention.

canvass that he was not an aspirant but entirely passive, and then to decline to allow his name to go before the nominating convention and yet leave to his friends the onerous duty of deciding whether or not efforts should be made to bring his name out by some other nomination, was to cast on them a grievous responsibility; and it was, moreover, a course sure to be misunderstood.

We have seen how greatly it was misunderstood by the *Charleston Mercury*, and in Virginia his friends were almost absolutely in the dark as to what he really wanted and had to act hurriedly as best they could. The Convention to choose delegates to the Baltimore Convention met in Richmond February 1, 1844, and, though the rumors of Calhoun's withdrawal had of course been heard there for some time, it was only the day before that his friends definitely learned of it from copies of the *Charleston Mercury*. They were in great embarrassment, but with the fact of the *Mercury's* taking down his name before them — and possibly seeing the serious dangers to their own political future by still holding up his standard — they concluded, as Hunter wrote, to aim "to bring you in next time, if you would permit it, and to raise up a Southern party upon true Southern principles."⁷⁴

A "love-feast" ensued, and Calhoun's friends secured from the controlling faction "the adoption and recognition in full of the soundest State rights principles upon all the questions in agitation in the country (including the tariff and abolition questions) as constituting the creed of the whole party in the State." They then withdrew Calhoun's name and issued a separate address assailing strongly the method of constituting the intended convention, while at the same time agreeing for the sake of party unity not then to press that question. Ritchie assured them of his approval and that there should be no attack on Calhoun; but nothing was definitely said of the campaign of 1848.

They were evidently anxious as to the question whether or not Calhoun would approve of their action, and this was in-

⁷⁴ Hunter to Calhoun, "Correspondence," pp. 927-931. Jas. A. Seddon to Calhoun, *ibid.*, pp. 923-927. *Charleston "Mercury,"* February 12, 1844. Ambler's "Thomas Ritchie," pp. 233-235.

creased by the reception,⁷⁵ after they had taken their course, of a letter from Duff Green urging them to nominate Calhoun on a separate ticket. This letter came too late, however, and they supposed that Green was hardly acting under Calhoun's advice, or the *Mercury* would not have taken down his name.

Other friends of Calhoun blamed those in Virginia and the South generally. Hammond ⁷⁶ still wanted to run him, if possible, and thought a great error had been committed, and James Gadsden and John S. Barbour wrote to the same general effect.⁷⁷ Fitzwilliam Byrdsall, a New York supporter and a flaming Democrat, who had kept the Calhoun flag flying "after your own Southern friends had hauled [it] down," wrote ⁷⁸ that the great leader might well say with Tyler, "save me from my friends," and to this he added, with perhaps a fling at Rhett's lamentable fiasco on the Speakership: "Languor and laziness is doing the destiny of the South. She is now compelled to compromise her candidate for the sake of Tariff and 21st [25th] rule."

What precedes makes it plain, I think, that by about the end of 1843 Calhoun's friends had become convinced that he could not obtain the nomination at Baltimore and that he had therefore best retire in as strong a position as possible, with a view to the campaign of 1848. But at the same time, they still hoped that even yet the campaign of 1844 might, between December, 1843, and the spring of 1844, take such shape in regard to the Texas question that he could be run in some way as the Southern candidate, with the result that there would be no choice on the popular vote and the election be thrown into the House of Representatives. There — for they were convinced that some of their friends had gone back on them — they thought, Southern States would not dare to vote for Van Buren or Clay.

It was a deep-laid plan, probably a little too fine for attainment, but they were behind the scenes, knew of the coming

⁷⁵ Hunter's letter, *ante*, tells of this incident.

⁷⁶ "Correspondence," pp. 953-955.

⁷⁷ *Ibid.*, pp. 952, 953, 955, 956.

⁷⁸ *Ibid.*, p. 941.

treaty and the vast popularity Texas annexation would have in the South, and it was,—probably, at least,—the best they could do, and it offered some chance of success. By the time the Nominating Convention met at Baltimore in May, 1844,⁷⁹ Texas had attained vast importance and perhaps the Convention might, when Van Buren was plainly defeated, have selected Calhoun as the man pointed to most strongly as the leader on that vital issue.

But this was not to be. Pickens wrote to Calhoun from the Convention on May 28, when he thought "Van Buren dead forever," that he had urged that Calhoun ought to be pushed under the new circumstances, but the latter's own friends talked of his name as "out of the question at present," while "hundreds . . . say you ought to be the man, but they cannot get at you. . . . It does seem to me that the South ought to agree to push you. I do not see why they don't—but all are lifeless." Perhaps the judgment of a recent writer is correct in this instance, who, referring to a slightly later period, thinks that the rapid growth of sentiment for Texas soon offered an admirable chance to make political capital, but "as was so frequently the case in other things, Calhoun was not in a position to profit by it."⁸⁰

As is well-known, Van Buren was defeated in the Baltimore Convention by the two-thirds rule, and the Convention then seemed likely for a time to make no nomination, but finally James K. Polk was selected. Calhoun wrote in July that he regarded the choice as the best that could have been made under the circumstances. "My friends everywhere," he added, "will give the ticket a hearty support, and I have strong hope it will succeed."⁸¹ The vote of South Carolina

⁷⁹ South Carolina was not represented in the convention (Benton's "View," Vol. II, p. 591) and it has been seen that a caucus in Charleston resolved that they should not attend. Pickens and Elmore were, however, in the hall of the Convention and being observed near the close of the balloting, were invited to seats near the President's chair and called on for speeches. Both said that the position of their State prohibited them from taking seats or voting, but thought the State would support the coming ticket. They were confident of victory and in favor of Oregon and Texas. Charleston "Mercury," June 4, 1844.

⁸⁰ Ambler's "Thomas Ritchie," pp. 235, 236.

⁸¹ "Correspondence," p. 601.

was, moreover, given by the Legislature,— which then always exercised this function in that State,— to Polk and Dallas. Benton tells a story that the support of South Carolina was only secured by a promise made by Polk to a friend of Calhoun that he would, if elected, displace Blair from the position of editor of the party organ; but the story is based on rumor and inference, and is not to be relied on. Nor, even though true, is it of much moment here.⁸²

The plan of Calhoun's friends, and doubtless of himself, in 1844 to have him run for the Presidency in 1848 was not forgotten in the intervening years. Byrdsall, one of his lieutenants in practical politics in New York, wrote to him as early as December 2, 1844, in regard to the filling of certain federal offices in New York and his interest therein, adding: "I know their important bearing on the contest of 1848." H. W. Conner also wrote from Charleston on September 28, 1845, urging a visit to New York and discussing Calhoun's chances generally, and Crallé on almost the same day (September 23) was in Virginia and told him of the plans which seemed to his friends best to follow there.

Even before these events, however, and when barely out of Tyler's cabinet, Calhoun had been launched for the next campaign. As he went South in March, 1845, he stopped in Richmond and, though he declined a public dinner, some twenty of his friends entertained him privately. Ritchie presided and gave a complimentary toast, "which was followed by three others," wrote Calhoun,⁸³ "expressly naming me as the candidate for '48. The whole was unexpected to me." Later in the same year stories were printed in various newspapers that at the time of the Virginia Convention of February, 1844, one of the conditions of the withdrawal of Calhoun's name by his friends had been that Ritchie pledged himself to support

⁸² "View," Vol. II, pp. 650-55: Schouler's "United States," Vol. IV, pp. 502, 503.

⁸³ "Correspondence," p. 650; The Richmond "Enquirer" of March 14 and 17, 1845, refers to this dinner, and adds that the first toast referred to the statesman "retiring from the field of his fame." Presumably, this was the complimentary toast which Calhoun says Ritchie offered. The newspaper says nothing of Ritchie's presence.

him in 1848, but Ritchie persistently denied this claim and on pretty good evidence.⁸⁴

Calhoun was still thinking of the nomination in the latter part of 1846 and in July, 1847, and at least several of his friends were active on his behalf at about this time and later. Duff Green, ever eager to grasp and use any popular tendency, seems to have been feeling his way in 1847 for some sort of union of Calhoun with Taylor, who was already looming up into popularity and consequent prominence, and even after the nomination of Cass Calhoun was looked to as a third candidate. The design, which was back of this, was of course to throw the election into the House of Representatives. This same plan of an election by the House had been in the minds of some of his lieutenants earlier in the campaign and had figured in 1844-45.⁸⁵

Some enemies wrote spitefully, as the campaign of 1848 came near to hand, that it had been decided to "run Calhoun at all hazards for the presidency," and added to this that his friends flattered him that Virginia would nominate him.⁸⁶ Hammond thought, too, that efforts which were making in the South in 1847 nominally to found a pro-slavery paper in Washington were really intended to start a Calhoun organ.⁸⁷ But as time wore on, the growth of circumstances and the great popularity of Taylor made Calhoun's nomination impossible. He could hardly accept, even could he have secured, the nomination from the Democratic Convention, after having been so strongly opposed to that piece of party machinery, and Tay-

⁸⁴ Washington "Union" of December 2, 1845, and March 28, 1846; Ambler's "Thomas Ritchie," 260.

⁸⁵ "Correspondence," pp. 711-13, 735, 1088-96, 1107 (Duff Green), 1111 (early plan of throwing the election into the House), 1118, 1124, 1148, 1149, 1175 (after the nomination of Cass).

⁸⁶ W. G. Simms to Gen. Hammond, dated "Christmas Day," to which has been added in pencil "1848," but it must be of 1847, or earlier. Hammond papers, in Library of Congress.

⁸⁷ Hammond was then still in high wrath against Calhoun for the suppression of his policy as Governor at the time of the Bluffton movement, and what he says must be accepted with much hesitation. See letters J. W. Hayne to Hammond March 31, and May 29, 1847 and "1847" simply, and Hammond to W. G. Simms April 19, 1847, in the Hammond collection in Library of Congress. Hammond refused to contribute, but subscriptions

lor's popularity was such that it would have been useless to run on any independent ticket.

The campaign of 1848-9 came thus to be made between Taylor and Cass, and it ended forever the long and ardent hopes of Calhoun's friends and himself to place him in the office of President. None the less, he was suggested by one admiring newspaper as late as the end of 1849 for the coming term of 1853-57, but he wrote that he regretted this step and "took immediate measures to counteract its ill effect. . . . As to the office, I not only do not desire it, but would not accept it, if tendered to me, under existing circumstances."⁸⁸

Before finally leaving this subject and going back again a few years from a momentary digression, it had best be added that as much as a year before the nominations for 1848-9 were made, there seems to have been a rumor current that Calhoun had come out for Taylor.⁸⁹ During the campaign, too, Hammond wrote⁹⁰ of Calhoun's being "furiously" opposed to Cass, and a few weeks later Toombs had it that Calhoun and some of his friends had declared themselves neutral—"what miserable creatures!" he goes on. "I think the solution of all this is that Calhoun found all the upper part of the State strongly against him and was afraid to risk an avowal for old Zack."⁹¹ Hammond understood that Calhoun wanted the vote of South Carolina given to Taylor, but without himself appearing in the matter and, though not for his part desiring Cass's election, went on to say that this was an

for as much as \$13,000 were secured. Hayne denies the charge made by Hammond as to the purpose of the paper.

⁸⁸ Hammond to —, November 16, 1849, in Library of Congress. Calhoun, December 7, 1849, to Hammond, "Correspondence," pp. 775, 776. The "Carolinian" was the paper in question.

⁸⁹ Polk's Diary, Vol. II, p. 470, under date of April 12, 1847. Taylor was a Southerner and a slaveholder, and here may have been part of the inducement to some Southerners to support him.

⁹⁰ Hammond, September 7, 1848, to W. G. Simms, in Library of Congress.

⁹¹ Toombs to Crittenden, September 27, 1848, in "Correspondence of Robert Toombs, Alexander H. Stephens and Howell Cobb," edited by Ulrich B. Phillips, in "Annual Report of American Historical Association for 1911," Vol. II, pp. 127, 128. Henry S. Foote writes ("War of the Rebellion," p. 90) that during the campaign he more than once heard Calhoun say he would rather elect any respectable Southern planter than any man of Northern birth and residence.

extraordinary position for the great leader to wish to assume, and he thought it would be clear that Rhett had out-generalled Calhoun, if the State should vote for Cass. Such was in the fall the result of the campaign, but it is not possible to know to what extent Calhoun had really preferred Taylor and whether or no he was in this instance actually overruled.

Calhoun had far too great talent for public life to be long left out of office. At about the time of his withdrawal from the Presidential contest, friends wrote him that he ought to return to the Senate or accept the Secretaryship of the Treasury; "if tendered."⁹² A movement, too, was then on foot as will be shown later, to create a vacancy in the Senate and have him appointed for the unexpired term, but the tragedy of February 28, 1844, on the deck of the *Princeton* led to his being called to another office.

The death of Upshur on that day seemed most inopportune to the plans of the administration, which had fixed upon the annexation of Texas as a prime point in its policy. Upshur had a treaty far on in course of negotiation, but now the thread must be taken up by some one else. Tyler had evidently not at once reached a conclusion in regard to who should be the successor and seems to have been at first crushed by the event and inclined to burst into tears on occasion, but Henry A. Wise was of a different cast of character and at once resolved to bring about the nomination of Calhoun. He knew that Tyler did not like the South Carolinian and would not want to appoint him,⁹³ so it was necessary in some way to force the President's hand.

In order to accomplish this end, Wise, who thought Calhoun would decline an appointment, if asked in advance, called very early the day (February 29) after the accident upon

⁹² F. H. Elmore, January 13, and James Gadsden, January 27, 1844, to Calhoun in "Correspondence," pp. 911-913, 916-919. It seems to have been thought that Spencer was about to resign from the Treasury.

⁹³ Wise so writes, and adds that he did not know the reason ("Seven Decades," p. 221). Tyler's "Tyler" (Vol. II, pp. 291-297) speaks of differences between Calhoun and Tyler, growing out of the campaign of 1840; and adds that Calhoun had been several times pressed for Secretary of State, but Tyler feared the effect of such a selection on some factions and wanted "to raise the question of annexation above the level of party."

McDuffie, with whom he had close relations of friendship. And, when McDuffie came downstairs, still in wrapper and slippers, Wise explained his untimely call by the urgency of his business, and asked whether McDuffie thought Calhoun could be prevailed upon to accept Upshur's position. McDuffie feared he could not but agreed as to the importance of securing his services; and Wise then urged McDuffie to write at once to Calhoun upon the subject. And in order to make acceptance more likely, he purposely left on McDuffie the impression — and meant him so to write to Calhoun — that the latter's name would in all probability be at once sent in to the Senate. He had no authority whatsoever from the President for this statement.

Upon leaving McDuffie, Wise invited himself to breakfast with Tyler, who quickly burst into a flood of tears. Our visitor calmed him and then said that the most important work on hand was the annexation of Texas, "and the man for that work is Mr. Calhoun. Send for him at once." But Tyler's air immediately changed and he quickly said, "Mr. Calhoun is not the man of my choice." Wise and some others present argued the matter with the President during breakfast, but in vain, and Wise feared that some one else might be nominated before Calhoun answered, and he thus find himself perhaps in a very awkward position with Calhoun and McDuffie.

In this dilemma, he tells us, he concluded to adopt "the policy of rashness." In pursuance of this conclusion, when soon saying good-bye, he assumed a very grave air and remarked that perhaps he might be taking a lasting farewell. He had faithfully tried, he went on, to help the administration and hoped he had the President's kindly feelings, but feared he had now done an act which would forfeit the confidence theretofore reposed in him and break their friendship. "If you will not nominate Calhoun, I have done you and him a great wrong, and must at once apologize to McDuffie for having induced him to commit himself and your administration as well by an unauthorized act."

Tyler was naturally not a little puzzled, but Wise narrated

precisely what he had done, and said that under the circumstances McDuffie had of course supposed that the President had authorized his action. To this he added that he had gone to McDuffie without authority, for the very reason that he knew that he could not obtain it, and in that case McDuffie would not have written. And finally he pictured the predicament he would be in, if Tyler should persist in his refusal, and said he could hardly in that case longer remain a friend. Tyler expressed amazement in a kindly way at Wise's action and then at once surrendered unconditionally. "I doubtless am wrong," he said, "in refusing the services of such a man. You may write to him yourself at once."

But even yet Wise would not let his quarry go, and replied that he would not write in advance, for if Calhoun were given time, he would decline. Wise urged that the appointment be made at once, when it would be confirmed, and Calhoun could not well refuse. Here again the President surrendered, according to Wise, at once; and immediately sent in the nomination. But memory deceived Wise here to some extent. It is apparent that for several days the matter was under discussion, and McDuffie saw Tyler on March 5 in regard to it, at Wise's request, and others were also brought in. Some thirty at least, and doubtless in reality far more, knew what was pending, when Tyler sent in the nomination on March 6. It was at once and unanimously confirmed.⁹⁴

It is likely that McDuffie wrote Calhoun, in pursuance of Wise's urgency, on February 29,⁹⁵ and this letter probably

⁹⁴ Wise's "Seven Decades," pp. 220-225. Tyler's "Tyler," Vol. II, pp. 291-297. I think Wise's account has been doubted by some writers, but it seems to me without reason as to any material point. That Tyler did not, however, make the appointment quite as quickly as Wise perhaps seems to say and that it was for some days under discussion by others as well as by Wise, see McDuffie's letter of March 5, Dixon H. Lewis's of March 6, and Tyler's of March 6, to Calhoun ("Correspondence," pp. 934-939), and see also draft of Calhoun, March 9, probably to McDuffie (*ibid.*, pp. 573-576). Tyler's statement to Calhoun in his letter of March 23, 1847. ("Correspondence," pp. 1106, 1107) is not to be strictly reconciled with Wise's account, but is very far from specific.

⁹⁵ McDuffie's letter of March 5, shows that it was his second one, and, as Tyler's letters of the 6th reached Calhoun on the 15th (see his letter of March 16th to Tyler, accepting the appointment, "Correspondence," p. 597) and Calhoun's draft of answer (which was probably to McDuffie) as to his accepting the office is dated the 9th, this would indicate that

reached the latter at Fort Hill on March 9th. On this same date, he seems to have replied, setting forth his objections to returning to public life,⁹⁶ but agreeing to the great importance of the pending negotiations in regard to Texas and Oregon. "If a satisfactory termination of one or both," he wrote, "should be thought, on reasonable grounds, to depend on my accepting or not, I feel it would be a strong case of duty," and he ended by leaving the decision whether he should accept or not to his correspondent and General Anderson,⁹⁷ who had also written, and with whom McDuffie had consulted. He suggested, too, some arrangement by which he might have charge of these two negotiations only and some one else be appointed as Secretary of State.

Calhoun did not then know that he had already, on March 6th, been nominated and confirmed as Secretary of State; but learned of the fact on the 15th from two letters from Tyler. In the same mail came "twenty or thirty letters, one from a Whig New England Senator, urging in the strongest terms my acceptance, and saying that it was the unanimous sentiment of all parties that I ought" to accept. The next day he replied to Tyler, agreeing shortly to take up the duties of the office, but with reluctance and because he did not feel at liberty to decline under the circumstances. He made it a condition, too, that, when the two pending negotiations were completed, he should be at liberty to retire.⁹⁸

Of course throughout the South the appointment was greatly approved, and much the same was the case in the North. Not only did public men of both parties, as has been seen, generally like it and urge his acceptance, but the same was the verdict on all sides.⁹⁹ To his political aides it promised great things for the campaign of 1848, and one wrote him that it would make

McDuffie first wrote on February 29. In the summer, letters made this same trip in 6 or 7 days, "Correspondence," p. 485.

⁹⁶ He said later, in regard to his selection, that he had "strongly remonstrated against it to my friends here,"—i.e., in Washington. Speech in Senate in reply to Mr. Turney on February 12, 1847, "Works," Vol. IV, p. 333.

⁹⁷ I am unable to ascertain who this was.

⁹⁸ Letters of March 16 to Tyler and to Thomas G. Clemson, "Correspondence," pp. 577, 578.

⁹⁹ Niles's "Register," Vol. LXVI, pp. 49, 66 and *passim*.

him impregnable in that year: "a ground-swell from the people themselves growing out of the Texas question may roll you into the position of a candidate."¹⁰⁰

¹⁰⁰ Dixon H. Lewis to Calhoun, March 6, 1844, "Correspondence," p. 938.

CHAPTER IX

SECRETARY OF STATE

The Annexation of Texas — England's Designs — Treaty Signed — Letter to Pakenham — England and France Uniting against us — Letter to King — Annexation Carried out — The Oregon Negotiation with Pakenham — Calhoun not Continued by Polk.

UNDER all the circumstances surrounding his appointment Calhoun, of course, felt that his more immediate duty related to the annexation of the imperial domain of Texas. It was a task worthy of the efforts of the very first of statesmen, and he at once took up actively the thread of Upshur's labors. It will be shown before long that he did not neglect our claims to far North Oregon, but, on the contrary, presented them earnestly and with that brilliant clearness of which he was in such a high degree the master. But the Texas question was in 1844 far more ripe for negotiation than was that relating to Oregon.

Texas had been settled by Americans, mainly from the South, possessed the system of slavery, and appealed in every way to the pride and interest of those dwelling below Mason and Dixon's line. Declaring itself independent of Mexico on March 2, 1836, it had quickly established, in fact, a separate existence, and before the end of the year voted with practical unanimity in favor of annexation to the United States. Great interest was of course felt at once among Southerners in the new star among the nations, and doubtless a dinner at Calhoun's on April 5 of that year, when, according to the Texas commissioner, "many of the ablest members of both houses were present [and] all was *enthusiasm* in our cause,"¹ was but one of many like incidents.

¹ William H. Wharton, Washington, April 6, 1836, to Stephen F. Austin, "Texas Diplomatic Correspondence," Vol. I, pp. 80, 81.

Nothing shows whether or not Calhoun had watched the first growth of the province, under the sturdy push of masterful Americans, but from 1836 it did not escape his attention. In the Senate, on May 12 of that year, during the discussion of the fortification bill, he told members: "Our danger lies not on the seacoast; it lies in another way—to the southwest. Let me tell you (said Mr. Calhoun) that every dollar of our surplus may be needed and that soon. They knew not even what the next mail might bring them."² And but a few days later (May 18) he referred again to the probability of a war with Mexico.³

Petitions for the recognition of Texas began soon to reach Congress, and one of these from Citizens of Mississippi urging immediate action was pending on May 23. Upon a motion to refer to the Committee on Foreign Affairs, Calhoun favored the motion for the purpose of securing fuller information and a more unanimous vote, but by no means because he himself needed assistance. "He had," he said, "made up his mind not only to recognize the independence of Texas but for her admission into this Union. . . . There were powerful reasons why Texas should be a part of this Union. The Southern States, owning a slave population, were deeply interested in preventing that country from having the power to annoy them; and the navigating and manufacturing interests of the North and East were equally interested in making it a part of this Union. . . . They should not violate their neutrality; but when they were once satisfied that Texas had established a Government, they should do as they had done in all similar cases—recognize her as an independent nation; and if her people, who were once citizens of this republic, wished to come back to us, he would receive them with open arms.

"If events should go on as they had done, he could not but hope that before the close of the present session of Congress

² Congressional Debates, Vol. XII, Part 2, 1835-1836, pp. 1446, 1447. The battle of San Jacinto had been fought on April 21, but the fact was not known in Washington until May 16 (Niles's "Register," Vol. L, p. 206). Probably Calhoun's anticipation of trouble was due to the conviction that armed conflict must result from the general circumstances.

³ Congressional Debates, Vol. XII, Part 2, 1835-1836, pp. 1459-1461.

they would not only acknowledge the independence of Texas but admit her into the Union." ⁴

The Committee on Foreign Affairs reported a resolution in favor of recognition as soon as satisfactory information should be received that the new State had in operation "a civil Government capable of performing the duties and fulfilling the obligations of an independent power," and this was unanimously passed by the Senate on July 1. Calhoun supported it, but explained that he had hoped we should be ready to recognize Texas before now; but under existing circumstances, he thought we should only go at present as far as the resolution and report contemplate.⁵ And again at the next session, he thought the sooner we recognized her the better.⁶

Calhoun has often been said to have maintained an iron rule in South Carolina and to have brooked little independence. Probably there is a modicum of truth in this, but he ruled over a fractious set of men, and they acted independently in more than one instance. Some of these have appeared already, and another occurred at this time. McDuffie was Governor in 1836. He was evidently regarded as a man of erratic nature, addicted to doing now and then unexpected things, upon some sudden impulse, or when led aside by the persuasive words of another. In his message to the Legislature in the end of that year, he spoke of the revolution in Texas and said that we ought to be absolutely neutral. Referring to their almost unanimously expressed desire for admission, this strong exponent of Southern views so far forgot himself as to say, "In my opinion, Congress ought not even to entertain such a proposition in the present state of the controversy," and gave as a reason that we should thereby at once become a party to the war between Texas and Mexico and expose ourselves to "tremendous retribution" by their fomenting servile insurrection in Louisiana and neighboring States.⁷

Strange opinions indeed for a leading South Carolinian to express, especially after the discussions in Congress during the

⁴ *Ibid.*, pp. 1525, 1531, 1535.

⁵ *Ibid.*, pp. 1846-48, 1916, 1928.

⁶ *Ibid.*, Vol. XIII, Part 1, 1836-37, p. 528.

⁷ Niles's "Register," Vol. LI, pp. 229, 230.

spring. But the tangential tendency did not last long, and other leading men soon applied a corrective. The instance may serve well to show how these hot-headed Southerners acted in such emergencies, and so far as I have found, their action was entirely their own and not inspired by Calhoun. After a report in the House had approved the Governor's recommendations, Hamilton from the Committee on Federal Relations brought into the Senate a report, which expressed agreement with the mere general phrases of the message upon Texas but was outspoken in disagreement on every essential matter concerned. To precisely the same effect was the "warm" speech of Hamilton, and finally the Senate unanimously adopted his report. It was well known that McDuffie's recommendations had afforded much gratification in the North, as well as that Hamilton "spoke the sentiments of the people" of South Carolina.⁸

Jackson seems to have early feared that England would seek to establish her control in Texas and secure a footing in advance of us,⁹ and on the very last day of his administration he nominated a minister to the new State. The nominee was confirmed by the Senate at its next session, and on July 3, 1837, a minister from Texas was formally received by Van Buren at the White House.¹⁰ We were thus the first to recognize the new member of the family of nations. Nor did others follow our lead for several years, France doing so in 1839 and Holland, Belgium and England in 1840.

But we were slow to take the other step which Calhoun has been shown to have urged. No attention at all was paid to the desire expressed by the Texans with practical unanimity for admission into our Union. And when the newly received minister soon brought forward his country's direct proposals to that effect, Secretary of State Forsyth refused on August

⁸ Charleston "Mercury," December 16, 19, 20 and 22, 1836. John Quincy Adams's "Memoirs," Vol. IX, p. 333.

⁹ "The Annexation of Texas," by Justin H. Smith, p. 60, citing letter of Jackson of February 2, 1837, to Howard contained in Jackson papers in Library of Congress. I am greatly indebted both to this work and to George Lockhart Rives's "The United States and Mexico, 1821-1848," in my consideration of the Texas question.

¹⁰ Rives's "The United States and Mexico," Vol. I, p. 401.

15, 1837, to enter upon the subject and went so far as to add that it would not be considered later. It is said ¹¹ that this was because Van Buren's administration had prescience sufficient to foresee that Texas would become the cause of a dispute between the North and South in regard to slavery, but a contemporary writer tells us that the game of politics and President making was the real motive behind the refusal.¹²

Whatever may be the exact truth here, the country was rapidly aligning itself for the long struggle which was destined to grow out of Texas and the questions bound up with her. In the fall of 1837 John Quincy Adams wrote that he had been "for some time occupied day and night, when at home, in as-sorting and recording the petitions and remonstrances against the annexation of Texas, and other anti-slavery petitions, which flow upon me in torrents."¹³ The North, and especially the East would none of her, while the South grew steadily more and more determined on admission. Petitions in plenty came in from the latter section also, and in the end of 1837 — as if to clinch the repudiation of McDuffie's message of 1836 — the Senate of South Carolina passed resolutions ¹⁴ for the admission of Texas into the Union "as soon as it can be effected on fair and reasonable terms and consistent with a due regard to obligations of international faith."

It was at much this same time that the bitter contests in regard to slavery first arose in Congress, and Calhoun's already mentioned resolutions of December, 1837, contained one to the general effect that "to refuse to extend to the Southern and Western States any advantage which would tend to strengthen or render them more secure, or increase their limits

¹¹ Justin H. Smith, "Annexation of Texas," pp. 65, 66. At one time early in 1838, it seems that they were none the less negotiating with a view to annexation, for Calhoun told Memucan Hunt confidentially that it was under consideration to send a private mission to Mexico to treat for her acquiescence in any negotiations between the United States and Texas relating to annexation, and added that he had just been informed by a letter from a member of the Cabinet of a favorable result. Memucan Hunt, February 3, 1838, to Irion in "Texas Diplomatic Correspondence," Vol. I, p. 290. This view was, however, evidently too roseate.

¹² Richard K. Crallé's "Preliminary Remarks," preceding the "Texas Correspondence" in Calhoun's "Works," Vol. V, p. 312.

¹³ "Memoirs," Vol. IX, pp. 337, 379, 397, and *passim*.

¹⁴ Charleston "Mercury," December 22, 1837.

or population by the annexation of new territory or States, on the assumption or under the pretext that the institution of slavery, as it exists among them, is immoral or sinful, or otherwise obnoxious would be contrary to that equality of rights and advantages which the constitution was intended to secure alike to all the members of the Union." ¹⁵

This was axiomatic to Calhoun, and he never recognized or believed that slavery was a badge of inferiority, on account of which the spread of Southern civilization should be curbed. On the contrary, he always assumed the entire equality of the two sections and that precisely as the South had come to the North's assistance in the Revolution and in the War of 1812, so the North was now in honor and under the Constitution bound to aid the South in the hour when her future and her very civilization were in peril from the agitation of abolitionists at home and abroad. The establishment of a free Texas on our southwestern border, such as England sought to bring about with the avowed object of leading to the abolition of slavery in our Southern States, was to him a most grave peril to his *natale solum*, and he thought the North grievously neglected her constitutional obligations, as well as brotherly reciprocation of aid, in failing to strive to ward off the peril. This will be found assumed in his correspondence at about this date, ¹⁶ and was to him as sure as Holy Writ.

Calhoun was plainly anxious that his resolution of 1837-38 affirming the duty of the North to aid in the annexation of Texas should be brought to a vote, and perhaps he thought it might have been passed under that compulsion, which it has been seen, ¹⁷ he was then exerting on the Northern or Van Buren wing of the Democracy, but it was put aside on the motion of his colleague Preston for one the latter offered simply in favor of annexation, and this was later laid on the table by 24 to 14. ¹⁸

The scene of the drama with which we are concerned shifts

¹⁵ "Congressional Globe," Twenty-fifth Congress, Second Session, p. 55.

¹⁶ E.g., "Correspondence," pp. 559, 560, 593.

¹⁷ *Ante*, Vol. II, pp. 155, 159, 260.

¹⁸ "Congressional Globe," Twenty-fifth Congress, Second Session, p. 453.

now many miles to the east, across the Atlantic Ocean. The several proposals made by Texas to our country had met with curt rebuffs, and her efforts at annexation to the American Union had come to a standstill.¹⁹ Meanwhile England had acknowledged the new nation in 1840, in order, as Aberdeen said,²⁰ "to find in Texas a market for her merchandise 'without having to climb over the United States tariff.'"

Calhoun regarded England with the utmost suspicion, as did and always have many of his countrymen, and in her efforts now about to begin to establish Texas as a free country and use her as a lever to secure abolition in the United States and the world, he saw but a selfish effort to stifle a competition she could not directly meet and to recoup herself for the losses he and not a few Englishmen thought she had brought on herself by abolition in the West Indies.

Philanthropy was, according to the opinion of Calhoun and those who agreed with him, but a very small factor in the matter, and a monopoly of the trade of the world the real object. He and Duff Green, who was then in Europe, corresponded upon the subject, and they agreed as to these points, and perhaps with some prescience foresaw in 1843 that England must either resort to force to hold her supremacy or repeal her corn-laws and adopt the system of free trade.²¹

Duff Green had gone to Europe in the autumn of 1841 armed with the nominal office of "messenger of the State Department" but evidently also with a roving commission to find out what he could and to influence public opinion abroad. He was paid two sums of \$500, each from the fund for contingent expenses of Foreign Intercourse, in November, 1841, and November, 1842.²² John Quincy Adams referred to him

¹⁹ Van Zandt and Henderson, April 15, 1844, to Calhoun in Calhoun's "Works," Vol. V, pp. 327, 328. Crallé's "Preliminary Remarks," *ibid.*, p. 312.

²⁰ Ashbel Smith's "Reminiscences of the Texas Republic," p. 36.

²¹ "Calhoun Correspondence," pp. 546 *et ante*, and see Green's letters in *ibid.*, pp. 841-44, 846-49, 871, 872, 884, 885. See also Duff Green's "Facts and Suggestions," pp. 48-64, 84, 85.

²² "Facts and Suggestions," by Duff Green, p. 141. Report by Calhoun to the President, printed in "Calhoun Correspondence," p. 597. Green's appointment as well as these payments of course long antedated Calhoun's connection with the State Department.

in a partisan speech²³ in 1843 as "the ambassador of slavery" at the Court of Great Britain, but any one who reads the letters Green wrote home to Calhoun alone will be convinced that he was far more than this.

Before starting, he says that he obtained from the public printer a copy of the new census then in course of publication and used this in preparing a series of articles on the character, credit, and resources of the United States, which were published in England. Later he published like papers in Paris in the *Journal de Commerce*, and upon his return to England was asked by Delane of the *Times* to prepare a series of articles for that paper. In both countries, he saw many men of note in various circles and aimed to secure accurate knowledge of the underlying tendencies in the countries he visited, as well as to impress upon foreigners the truth, as he saw it, in regard to his own country. And he wrote letters embodying his observations and beliefs to Calhoun, Tyler, Webster, Upshur, Everett and others in our country as well as in France.²⁴

²³ Speech to his constituents at Dedham, in the autumn of 1843, printed in Niles's "Register," Vol. LXV, p. 149.

²⁴ Letter of Green dated London, September 18, 1843, in Niles's "Register," Vol. LXV, pp. 123-127. Green's "Facts and Suggestions," pp. 82, 83, 143-164. Numbers of Green's letters to Calhoun, detailing his experiences with leading men abroad and Calhoun's answers to him, are easily to be found in the "Calhoun Correspondence." He writes to Calhoun that he saw Palmerston, Russell, Goulbourn and "other influential men of the Whig Party," and evidently hoped to succeed in getting the Whigs to declare for a policy more favorable to us and less obnoxious to the South ("Correspondence," pp. 846-49, 871, 872, 884, 885). He was also to see Cobden, in September, 1843 (*ibid.*, p. 885), and he thought (*ibid.*) that he had obtained a promise from Senior to review Calhoun's biography of 1843 and Upshur's "Review of Story on the Constitution," but probably his exuberant nature had here led him to jump to conclusions, for no such review is to be found, at least in the Edinburgh Review for which Senior was in the habit of writing. Green also thought (*ibid.*), that he had influenced John MacGregor to put "our view of the Constitution and of trade" in the work he was preparing, under Governmental authority, on the Commercial Systems of the world; and there is some slight evidence to that effect in the work in question. He also published in the London "Times" extracts from Calhoun's letter to him of June 7, 1843, and of one from Upshur, relating to commercial relations between England and the United States and in favor of free trade, and sent Calhoun the highly favorable comments of "The London Examiner" of September 23rd, which he said were written by a prominent abolitionist and showed that this writer's opinions in regard to American Slavery had been much softened thereby (*ibid.*, pp. 871, 884). The "Examiner's" article is of some length and seems to indicate that perhaps Russell was a good deal influenced by Green's representations.

These, or some of them, had a very positive influence and certainly helped to shape the course of events.

England was, beyond doubt, soon planning with all that persistence which has ever marked her history, to secure a commercial foothold in the new country and with this view either to influence or control her Governmental functions. In July of 1842, Ashbel Smith, who had been sent to London as minister from Texas in that year, was approached by "a person then and now having relations with Great Britain," who inquired of him (1) whether Texas would consent to abolish slavery, upon the granting of advantages by Great Britain, and (2) whether she could be induced to divide herself into two States,— one slave and one free.

The answer made to these inquiries does not appear, but Smith writes that he did not at the time fully realize their drift. He soon came, however, to look upon the whole subject and the existence of slavery in his country much from the viewpoint of our own South. In the very letter of January, 1843, from which we learn of this matter, he wrote that the independence of Texas and the existence of slavery there were questions of life and death to the slaveholding States, and he was by that date convinced that the establishment of a free State on our Southwestern border was "a darling wish of England for which scarcely any price would be regarded as too great. The bargain once struck, what remains to the South?"

In more than one instance Smith wrote "confidential" letters of this kind to Van Zandt, and it may be safely surmised that they were shown to a select few in Washington, and that Calhoun was one of these few. He certainly saw such letters before long, and there is no need to emphasize the impression they must have made upon him.

Smith tells us, however, that it was not mainly through his letters that information as to the British plans, which so excited our country, came to be known among us. He thinks that the anti-slavery agitators purposely scattered knowledge of their doings broadcast, and cites an instance of one Yates, who said that he had had important conversations with Elliot,

the British Minister in Texas, in regard to slavery there, and then wrote a letter concerning the interview, which seemed to connect the British Government with the matter. Duff Green, of whom Smith writes that he was "naturally an alarmist," secured a copy of this letter and sent it over to America where it was printed in our newspapers with comments, of which the nature is easy to imagine. Other events of a similar character occurred at an early period in the matter, and public sentiment in our Southern States was soon much inflamed.²⁵

From their standpoint of dread of the growing spirit of abolition there was ample reason, and this is the standpoint to be borne in mind in a Life of Calhoun. Evidence of the underlying purpose of the English steadily grew, and ere long it became apparent that the most powerful country in the world was actively engaged in efforts to secure a foothold in Texas and at the same time to bring about abolition there, and then to work indirectly towards the same end in America.

In the spring of 1843, a movement was under way in Texas itself in favor of abolition,—one that had the support of President Houston,²⁶—and in the early summer of the same

²⁵ Ashbel Smith's "Reminiscences of the Texas Republic," pp. 54, 55. I had a search made in the Charleston "Mercury" for 1842 and down to the end of October, 1843, and less completely in the "Courier" and in Niles's "Register," for the Yates instance, but without success, unless possibly the letters in Niles's "Register," Vol. LXVI, pp. 230, 231, *infra*, refer to it. As early as 1836 however, the prevention of slavery and the slave trade in Texas was discussed in the British House of Commons (E. D. Adams' "British Interests and Activities in Texas," 1838-1846, pp. 16, 17), and in 1837 there was newspaper gossip in our country of British plans to acquire the region (*ibid.*, 20). In June, 1842, a New Orleans paper attacked the British Government, on account of the rumor that it had guaranteed a loan of six million dollars to Mexico for the purpose of reconquering her lost province; and not only was this copied throughout the United States but there had been similar rumors before (*ibid.*, p. 98). The plan of the British representative, Elliot, in 1842 to develop Texas and secure commercial advantages for England, contemplated abolition as a part of the design; and this story found its way into our newspapers in May, 1843 (*ibid.*, pp. 111, 112, 139, and Niles's "Register," Vol. LXVI, pp. 230, 231). The Charleston "Mercury" of September 25th, 1843, printed from the New York "Herald" of the 20th the well-known discussion between Brougham and Aberdeen in the House of Lords, on August 18, in regard to slavery in Texas, together with the "Herald's" comments that the English design was to break up our country. Here was ample foundation to lead the Southerners to believe the later stories that England was aiming both at control and at abolition in Texas.

²⁶ Justin H. Smith's "Annexation of Texas," pp. 111, 114.

year (June, 1843) a World's Anti-Slavery Convention was held in London, in which John Quincy Adams and leading American abolitionists were much interested. Among its members, was one S. P. Andrews, who, with Lewis Tappan of New York, claimed to represent Texas in the matter. The meetings of the convention were nominally public, but Ashbel Smith only secured admission by virtue of a card from a newspaper and then heard some declarations of such an ultra nature that he speaks of the leaders in the violent language his side of the controversy indulged in in that day as "meddlesome, restless, unscrupulous, traffickers in spurious humanitarianism."

It seems that Tappan and Andrews called on Aberdeen before the meeting of the convention and gave out that they represented Texas, stating that they had important propositions to submit from the people there. The conversation has not become known, but they apparently made no great impression and were referred to the Under Secretary, Addington. Aberdeen told Smith of their visit, and when informed by him that they were not authorized to speak for Texas, and that Tappan had never even been there, said they would never be received again.²⁷ Later, on July 11, in pursuance of a request from Andrews, Smith presented him to Addington but openly expressed at the interview his entire disapproval of Andrews's designs. Smith's purpose was to become conversant with the abolitionist plans. What was said at this interview also is unknown.²⁸

But the important interview was during the sessions of the World's Anti-Slavery Convention (June 13 to 20), when a committee, of which Andrews was one, called on Aberdeen and later reported their results to the Convention. What was said by Aberdeen on this occasion has been questioned, but there can be little doubt as to the gist of what the Committee reported him as saying, and this is in all essentials borne out by testimony of Ashbel Smith as to what Aberdeen said to him

²⁷ Ashbel Smith's "Reminiscences," p. 52.

²⁸ Ashbel Smith, London, July 11, 1843, to W. H. Daingerfield "Texas Diplomatic Correspondence," Vol. II, p. 1110. Also his letter to Anson Jones, Paris, July 31, 1843; *ibid.*, pp. 1116-19.

on a later occasion, when asked as to the intentions of his Government in regard to the matters on which the committee had spoken to him.

Smith was in the hall of the convention when this committee reported, and soon wrote to Anson Jones that Andrews had seen Aberdeen, Brougham, Morpeth, and others, "all of whom are extremely eager to accomplish this purpose. Lord Aberdeen said [so the committee reported the conversation to the Convention] 'Her Majesty's Government would employ all legitimate means to attain so great and desirable an object as the abolition of slavery in Texas,' and he used other expressions of the same purport." Different plans had been proposed, one a loan to Texas to enable her to buy the slaves, and "Lord Aberdeen said the British Government would guarantee the interest of a loan raised and applied for this purpose but no other loan whatever."

To this report of the doings and sayings in the Convention, Smith added as the result of his own observations that there was a considerable party in England which desired the abolition of slavery in Texas "in order that it may become a refuge for fugitive slaves from the United States," and that when he heard the plans of abolition discussed, "I hear it mainly advocated for its anticipated effects on slavery in Southern United States." A copy of this letter was almost certainly sent by Smith to Van Zandt, the Texan representative in Washington, and by him communicated to Calhoun. Its effect may be imagined.²⁹

All this was of course highly important to Texas, and Smith's interest was further aroused when one of the Committee later called upon him at his lodgings and repeated his

²⁹ Ashbel Smith, London, July 2, and Paris, November 29, 1843, to Anson Jones, "Texas Diplomatic Correspondence," Vol. II, pp. 1099-1103, 1144, 1145. Smith writes in his "Reminiscences" (pp. 53, 54), immediately after referring to the above facts, that he communicated them to Van Zandt as well as to the Texas State Department and then adds generally: "My letters were in the hands of Mr. Calhoun who, as he afterwards told me, placed them with Judge Upshur." Calhoun wrote ("Correspondence," pp. 658, 659) on May 23, 1845, that he had received two letters "from him" (Smith) in 1843; and he describes the one of July 31, next mentioned in the text, as one of these, but does not say what the other contained. The one of July 2, seems, however, to be the only other one likely to have been sent him.

story of what Aberdeen had said.⁸⁰ The consequence was that, before going to Paris, where his duties called him in the end of July, Smith had a long interview with Aberdeen upon the subject on the 20th of the month. He told Aberdeen on this occasion that he was informed representations would be sent out to Texas, based on statements made by members of the Anti-Slavery Convention, who had called on his Lordship touching this matter, to the effect that the British Government would in some way reimburse or compensate the slaveholders, provided slavery were abolished in Texas. And he then inquired what ground there was for these assertions. Aberdeen replied, so Smith wrote to Jones, "That it is the well known policy and wish of the British Government to abolish slavery everywhere; that its abolition in Texas is deemed very desirable and he spoke to the point at some little length, as connected with British policy and British interests and in reference to the United States. He added there was no disposition on the part of the British Government to interfere improperly on this subject, and that they would not give the Texian Government any cause to complain; 'he was not prepared to say whether the British Government would consent hereafter to make such compensation to Texas as would enable the slave-holders to abolish slavery, the object is deemed so important, perhaps they might, though he would not say certainly.' . . .

"The British Government greatly desire the abolition of slavery in Texas as a part of their general policy in reference to their colonial and commercial interests and mainly in reference to its future influence on slavery in the United States."⁸¹

⁸⁰ Smith to Jones, November 29, 1843, "Texas Diplomatic Correspondence," Vol. II, pp. 1144, 1145.

⁸¹ Smith to Jones, Paris, July 31, 1843, "Texas Diplomatic Correspondence," Vol. II, pp. 1116-19. Smith later wrote Aberdeen in regard to this same subject, but the answer was noncommittal and merely general. While disclaiming all intention "to interfere in the internal affairs of Texas," it asserted the desire for abolition not only in Texas but in all parts of the world, but gave no hint of the means to be employed to this end (Smith's letter of August 1 and Aberdeen's answer of September 11 are printed in Niles's "Register," Vol. LXVI, p. 97). It seems clear that in the early stages Aberdeen thought seriously of lending governmental aid to bring about that result, and the only evidence against this opinion is contained in Everett's letters to Upshur (Everett to Upshur,

A copy of this letter was sent by Smith to Van Zandt, and the material part of it, so far as the United States were concerned, was sent by him to Calhoun.³² At exactly what date this was done, does not appear, but it is to be presumed that it was sent soon after its reception, and this was probably in the end of August or early in September. Its effect on Calhoun does not need to be imagined, for he himself said later that he immediately transmitted it to Abel P. Upshur, who had recently been appointed Secretary of State "in a long letter addressed to him, and urging on him the necessity of adopting some decided measure to defeat a scheme, which, if it should succeed, must prove fatal to the South and the Union."³³

November 3, and November 6, 1843, Senate Document 341, Twenty-eighth Congress, First Session, pp. 38-42). This evidence is, however, very weak. Everett had not once hinted at the matter to his Government, while Ashbel Smith and every one else was so active in regard to it, and was finally prodded by Upshur (Senate Document 341, Twenty-eighth Congress, First Session, pp. 27-37, and see Crallé's "Preliminary Remarks" in Calhoun's "Works," Vol. V, p. 317). He then saw Aberdeen, and quickly accepted at par mere general phrases of Aberdeen that "he had given no countenance whatever" to the abolitionists' request for a loan or guarantee. On the other hand, all of Ashbel Smith's statements are consistently to the effect that Aberdeen had held out such hopes,—what he said he heard in the Convention, what one of the abolitionists said to him at his lodgings, what he wrote that Aberdeen said to him at the interview asked for the very purpose of inquiring about a matter of such great importance to his country, and what he reported several times to his Government, to Van Zandt, and to his colleague Daingerfield. Why should he deceive his Government, and how could he be so mistaken as to what Aberdeen told him in regard to the matter? Smith also wrote to the like effect many years afterward ("Reminiscences," p. 57, Smith to Jones, June 24, 1844, "Texas Diplomatic Correspondence," Vol. II, pp. 1153-56; G. W. Terrell to Ashbel Smith, February 13, 1845, *ibid.*, p. 1177). All this evidence is from a participant actively interested; and on the other side is Everett's report, on a matter of little interest to him, of what Aberdeen said at a time when the British official had become conscious that he had made a mistake of policy and wanted to get out of it. See also pages *ante* and Ashbel Smith to Jones, November 29, 1843, "Texas Diplomatic Correspondence," Vol. II, pp. 1144, 1145.

³² It has been shown shortly *ante* that Smith wrote that he sent copies of his official home letters to Van Zandt, and the extracts from this letter, found among Calhoun's papers ("Correspondence," pp. 866-68) are endorsed: "Communicated by the Texas Minister to Mr. Calhoun." Duff Green also wrote to Calhoun upon this subject and others on August 2, 1843 (the subject discussed and Calhoun's answer of September 8, 1843, show that it was not of 1842, as the Calhoun "Correspondence," pp. 846-49, 545-47, prints it): but it is plain that Calhoun's references of a later day were to Smith's letter.

³³ Calhoun to Donelson, May 23, 1845, "Correspondence," pp. 658, 659. See also "Works," Vol. IV, p. 333, and "Congressional Globe," Thirty-first Congress, First Session, p. 483.

Tyler's original cabinet, taken over from Harrison, had not been of long duration, all the members but Webster resigning in September, 1841. Webster still hung on and accomplished at least one great result. But as Tyler drifted more and more away from the party which had elected him and towards that to which in reality he essentially belonged at all times, rumors began to run about a year and a half later that Webster also would soon get out. Calhoun was actively named for the prospective vacancy, and Green as ever was urging him to accept, but Calhoun was at the time a candidate for the presidency and probably did not want his hands to be tied by the lesser office, and he urged Upshur to accept the portfolio, if it should be tendered him. The offer was made, and Upshur entered upon the duties of the position in July, 1843.⁸⁴

Upshur was strongly in favor of the annexation of Texas and was from the start of opinion that the current stories of English designs called for immediate action on our part. Tyler, however, held back for "authentic" information. Finally, the President was also satisfied, probably largely by the copy of Ashbel Smith's official letter which Calhoun sent to Upshur, and then the latter on September 18 and again on October 16 formally proposed annexation to Van Zandt, the Texas chargé.⁸⁵

In spite of some delays due chiefly to the fact that the Texan home authorities were at this time opposed to uniting with our country, the matter went along so fast that Calhoun was told on December 10, confidentially by the authority of Upshur that "the terms of a treaty between him and the Texan minister have already been agreed on and written out, and that the latter only awaits instructions from President Houston."

⁸⁴ Rives's "The United States and Mexico," Vol. I, p. 555. Calhoun to Green, March 19, 1843, "Correspondence," p. 526.

⁸⁵ Besides the copy of Ashbel Smith's letter, Upshur had received at an earlier date a letter, doubtless from Duff Green, dated in London early in July and giving much the same story of English designs. Upshur to Murphy, August 8, 1843, Senate Document 341, Twenty-eighth Congress, First Session, pp. 18-22. The well-known discussion between Brougham and Aberdeen in the House of Lords on August 18 was known in New York, at least by September 20; see the Charleston "Mercury" of September 25, 1843; Van Zandt to Jones, September 18 and October 16, 1843; "Texas Diplomatic Correspondence," Vol. II, pp. 207-210, 221-224.

Van Zandt believed that the people of Texas were behind him and had exceeded his instructions.³⁶

Probably it was the desire to protect himself from the consequences of his course that led him to write Upshur on January 17, 1844, to ask whether, in case Texas should accede to annexation, the President of the United States would, after signing and before ratification of the treaty, in case Texas should want it, "order such number of the military and naval forces of the United States to such necessary points or places upon the territory or borders of Texas or the Gulf of Mexico as shall be sufficient to protect her against foreign aggression."

No written answer to this inquiry was ever received from Upshur, but Van Zandt informed his Government in his letter of January 20th, that he was verbally assured that, upon the signing of a treaty of annexation, sufficient naval and military forces of the United States would be concentrated upon the borders of Texas, and that assurances to this effect would be given, before the treaty should be signed.³⁷

Van Zandt, as well as our public men, did not trust Houston, and it was said that he even planned to force annexation, if necessary, by an appeal from the rulers to the people of Texas. It is evident, too, that Upshur sought to force Houston. It can only have been with this view that he wrote his dispatch of January 16, 1844, to our chargé, which that official was authorized to show to Houston. In this he told Murphy that he had "the most unequivocal proofs in a variety of forms that they [the people of Texas] are almost unanimous in favor of" annexation, and then went on to descant upon the opposition of the Texas Executive, which, he said, was due to a misapprehension of our plans. The United States are in reality strongly for the measure, which is "absolutely necessary . . . with reference to the interests (and possibly to the safety) of both countries." England can have no reason

³⁶ Virgil Maxcy to Calhoun, December 10, 1843, "Correspondence," pp. 900-904. See also R. M. T. Hunter to Calhoun, December 19, 1843, *ibid.*, p. 906.

³⁷ Van Zandt to Upshur, January 17, 1844, Senate Document 349, Twenty-eighth Congress, First Session, p. 3, or Niles's "Register," Vol. LXVI, p. 230; Van Zandt to Jones, January 20th, 1844, "Texas Diplomatic Correspondence," Vol. II, pp. 239-243.

for disinterested friendship for Texas." Her motive is to engross the commerce of the world," he went on, throwing in an idea which may well have come from Calhoun and Green; and a reference was made to the fable of the wolf and the lamb.⁸⁸

But the despatch produced an unforeseen result. Houston and his Secretary of State, Jones, at once suggested the propriety of an agreement by us to protect, and that we should "assume the attitude of a defensive ally of Texas against Mexico." And this agreement was represented to be a condition on the part of Texas to authorizing a treaty. Murphy fell into the snare and went far outside his instructions. "I have no hesitation," so he wrote Jones, "in declaring . . . that neither Mexico nor any other Power will be permitted to invade Texas on account of any negotiaion" with the United States. Of this action on his part, he notified Upshur the next day, explaining that he found it impossible otherwise to get the Texan Government heartily into the matter and hoping, but evidently with qualms of doubt, that his Government would approve his action.⁸⁹

It was at about this time that Houston and the other Texan authorities gave up their opposition to annexation and wrote to authorize their agents in Washington to enter upon negotiations, but, as has been said above, Van Zandt had already done this without instructions and by early December of 1843 the terms of a treaty had been largely agreed upon between him and Upshur. This draft, whatever may have been its exact state of completion, lay long quiescent in Washington, while answers to inquiries were doubtless waited for from the far-off Washington in Texas. It seems to have been again under discussion in the following February. Meanwhile, also, efforts to build up annexation sentiment in our country went on apace,

⁸⁸ Crallé's "Preliminary Remarks," in Calhoun's "Works," Vol. V, pp. 318, 319. Upshur to Murphy, January 16, 1844: Senate Document 341, Twenty-eighth Congress, First Session, pp. 43-48.

⁸⁹ Anson Jones to Murphy, February 14, 1844, Senate Document 349, Twenty-eighth Congress, First Session, p. 4. Murphy to Jones, February 14, 1844, *ibid.*, pp. 4-6. Murphy to Upshur, February 15, 1844, *ibid.*, pp. 6, 7.

and perhaps Van Zandt and his friends were doing the same thing in Texas.

But Upshur was destined never to complete his treaty. On February 28, he was instantly killed by the bursting on the man-of-war *Princeton* of the great gun, which was so absurdly dubbed the "Peacemaker," for the rankly false idea that the possession of armament is a pledge of peace, instead of a temptation to use it, seems to have existed then as well as down to August of 1914.

Tyler's consequent distress and the method by which Calhoun's appointment to the vacancy was brought about have already been told. In the interim John Nelson temporarily filled the position, and during his short tenure one highly important step was taken. Murphy's despatch of February 15, telling of his promise of armed support to Texas, probably reached Washington by March 5 or a few days later and was promptly repudiated. On the 11th of the month, of course after Cabinet consultation, Nelson wrote Murphy distinctly and positively disapproving his promise and adding, so careful were the Cabinet in the matter, that the Texan minister in Washington, Van Zandt, had been notified to the same effect. Murphy wrote Jones in due time, giving a summation of the letter disavowing his promise.⁴⁰

It must be noted, too, in view of some later doings of Calhoun, which have been much criticised, that this very letter of Nelson's repudiating Murphy's promise of protection by armed force, recognized and even asserted fully the likelihood of the concentration of competent portions of our army and navy on and near our southern borders. The diplomatic correspondence of the period repeatedly refers to the probability of this being done. It was of course meant as a threat to Mexico, but there is no evidence that either Tyler, Nelson, or Calhoun had a thought of plunging the country into war without prior authorization by Congress.

It was under these circumstances that Calhoun set out for

⁴⁰ Nelson to Murphy, March 11, 1844, Senate Document 349, Twenty-eighth Congress, First Session, pp. 10, 11; Murphy to Secretary of State, April 14, 1844, *ibid.*, p. 11; Murphy to Jones, April 12, 1844, *ibid.*, p. 12.

Washington. Receptions and dinners were tendered him on the way, but he generally declined these. At Charleston, however, he held a reception on March 25, at which "the crowd was immense," and in declining the Charleston dinner he wrote the committee that the public voice had called him to a position of very great responsibility. The importance of the pending negotiations had never been exceeded, he said, and to this he added that he was the advocate of peace, but at the same time of the rights of the country.⁴¹

Arrived at the capital, he took up the duties of the State Department on April 1.⁴² That the treaty was in its main outlines complete, seems clear. Van Zandt wrote to Texas to tell of Upshur's death and said that for some days before the event, they had been engaged in discussing its terms "and had agreed upon all the main points, subject, however, to any changes that might be made necessary upon the receipt of further instructions from your Department. I had given him for examination an outline of the points which would be required to be included; and he had submitted to me a similar draught in his own handwriting, embracing his views, which corresponded fully with my own in every particular. In this situation I was awaiting a reply to my last communication on this subject. Had instructions arrived to authorize me to consummate it, the treaty could have been concluded in half a day."⁴³

This is in close accord with what is has been seen Upshur had told Maxcy and Hunter in confidence about mid-December, and to precisely the same effect Tyler and his son wrote in later years that, when Henderson arrived in Washington after Calhoun, "the finishing touch was put to the treaty. Only a few new ideas were advanced by Mr. Calhoun, and the treaty as signed was the work of Abel P. Upshur."⁴⁴ Nor can I find

⁴¹ Charleston "Mercury," March 30, 1844. Niles's "Register," Vol. LXVI, p. 84.

⁴² Records of the State Department. According to Green, Calhoun qualified for the position on March 30. Richard K. Crallé was appointed Chief Clerk, apparently at Green's suggestion. Duff Green, March 30, 1844, to R. K. Crallé, in Duff Green Letters, in Library of Congress.

⁴³ Van Zandt to Jones, March 4, 1844, "Texas Diplomatic Correspondence," Vol. II, pp. 261, 262.

⁴⁴ Tyler's "Tyler," Vol. II, p. 297. It does not positively appear what

that Calhoun ever asserted a different view. What he said related entirely to carrying through the policy of annexation, despite the many difficulties which stood in its way.

These were indeed very great; for few administrations have been weaker than was that of John Tyler. There was ample reason for Calhoun or any one to hesitate to cast in his lot with it, and perhaps he would again have declined to do so, as he had probably done twice before, except for the fact that by that time the Democrats had largely regained control and that Tyler was re-united with his former party. Calhoun himself pictured to some extent, soon after the end of his term of service, how all this presented itself to him. As he wrote to Mrs. Clemson in Europe, May 22, 1845:

I was not aware until I took charge of the State Department of the immense influence, which may be exerted through it on foreign and domestick relations. I found its duties had been shamefully neglected. I had nothing to sustain me; the administration without a single advocate in Congress and very feeble in the country, with a most inefficient organ, and both parties, or rather the acknowledged leaders of one party and both leaders and followers of the other, opposed on its leading measure, that of the Annexation; and yet with all these disadvantages, I have succeeded, by a bold unhesitating course, to secure Annexation, and leave a strong impression behind, both at home and abroad, in the short space of eleven months.

One matter of great importance met Calhoun at the very threshold of his work. When he first entered the office to take up its duties, he must have found upon the table, addressed to Upshur and unanswered, a letter from Pakenham enclosing a copy of a despatch of Aberdeen to Pakenham,

were the new ideas advanced by Calhoun, but perhaps he indicated one of them in a Senate speech, of 1848, when he bore emphasis on the dispute as to the boundary of Texas and said that, by the treaty, no provision had been made on the subject, because Texas was to come in as a territory and as such the right of the United States to settle the dispute was unquestionable. "There was an express provision to that effect," he said; which words doubtless refer to Article I. ceding Texas to the United States "as one of their territories subject to the same constitutional provisions with their other territories." "Congressional Globe," Thirtieth Congress, First Session, p. 115. The treaty is printed in Calhoun's "Works," Vol. V, pp. 322-7.

touching the subject of slavery and the plans of the British Cabinet thereon.

This despatch was dated in London on December 26, 1843, but Pakenham had for some reason withheld it until near the end of the following February, when he read it to Upshur, and on the 26th sent him a copy, in accordance with request. This was but two days before Upshur's death. Aberdeen's intention evidently was to allay the excitement in our country in regard to the British designs as to slavery, and doubtless by this time he was already beginning to regret, as he certainly did a little later,⁴⁵ that he had ever said a word as to slavery in the connection. He had had no intention of arousing such a storm as he had caused, and the result had of course been to drive us to annexation and so to frustrate the very object he had in view.

In the letter in question, he aimed to minimize the British designs by general expressions that all their means to secure abolition in Texas and throughout the world would be open and undisguised, and that they would "neither openly nor secretly resort to any measures which can tend to disturb their [our slaveholding States'] internal tranquility, or thereby to affect the prosperity of the American Union." But at the same time it was admitted that "Great Britain desires, and is constantly exerting herself to procure, the general abolition of slavery throughout the world." And in regard to Texas the same avowal was distinctly made and, while the desire to establish any dominant influence was denied, a strong preference to see her remain entirely independent was clearly asserted.⁴⁶

Glittering expressions of a general intent are light as air, when compared with specific statements to the contrary, and to Calhoun, who of course fully believed the very specific statements of Ashbel Smith and Duff Green as to British plans,

⁴⁵ Smith writes in his "Reminiscences," p. 57, that Aberdeen announced his regret at having mentioned slavery at some interview between them subsequent to one in the summer of 1843, but does not mention its date. The earliest positive proof of the regret that I have found is the letter of June 24, 1844 (Smith to Jones of that date, in "Texas Diplomatic Correspondence," Vol. II, pp. 1153-56). See also Terrell to Smith, February 13, 1845, *ibid.*, pp. 1177-1181).

⁴⁶ Calhoun's "Works," Vol. V, pp. 330-3.

Aberdeen's letter could only serve as complete corroboration of what he already believed. He was, moreover, at the very moment engaged in putting the last touches to a treaty of annexation, and here was a specific statement of opposition to that plan from one of the greatest powers in the world.

Probably spurred on by this letter, Calhoun pressed the treaty to completion, and on April 12 it was signed by him and the Texan envoys. The latter had opened again the question of protection to Texas, pending the treaty, and had asked for an answer in writing to their letter of January 17 to Upshur. This Calhoun gave in a letter of April 11,⁴⁷ in which, after writing that strong naval and military forces would be concentrated in the Gulf of Mexico and on our southwestern frontier, he added:

Should the exigency arise to which you refer in your note to Mr. Upshur, I am further directed by the President to say, that during the pendency of the treaty of annexation, he would deem it his duty to use all the means placed within his power by the Constitution to protect Texas from all foreign aggression.

The treaty, with this letter and an account of verbal statements made by Calhoun in regard to protection, was at once forwarded by Van Zandt and Henderson to Texas. The verbal statements do not, however, add much for our purposes. They merely detailed the intended military movements, and added:

Upon any serious demonstration being made . . . by Mexico against Texas . . . [Captain Conner or General Gaines will] inform the Mexican commander that any attack upon Texas will be considered as a hostile act, and the Executive will feel himself bound to use every means to repel it . . . and that he [Gaines] and the chargé d'affaires will keep up an active correspondence with the President of Texas; and if they should receive any communication from him, which he conceives threatens any serious intention upon the part of Mexico to invade Texas by land, they or either of them shall forthwith despatch the same to Washington City by express — that the President will in that

⁴⁷ Senate Document 349, Twenty-eighth Congress, First Series, p. 11, or Niles's "Register," Vol. LXVI, p. 232.

event send a message to Congress, informing them of the fact, and request Congress to adopt, as speedily as possible, such measures as may be necessary for the defence of Texas; and if the emergency should require it, to say in his message that he would in the meantime consider it his duty to defend Texas against aggression and will accordingly do so.⁴⁸

These verbal assurances, and Calhoun's letter of April 11 to Van Zandt and Henderson upon the same subject, were of course unknown at the time to the American public, nor did even the letter become known until June 1, when it was sent to Congress in answer to a call. There was at once, and has been sporadically ever since, much criticism⁴⁹ of it as an improper and unauthorized pledge of the Executive to actions not committed to it by the Constitution, but this charge cannot bear examination. Its meaning and origin are clear enough, and Houston's later claim in our Senate that it imported protection in all emergencies was entirely untenable.⁵⁰

In regard to the actual import of the words, it must be remembered that the subject was not new but had already been discussed between representatives of the two sides, and that, moreover, the Texans were almost as well acquainted with the limitations of our constitution as were our own statesmen.⁵¹ Murphy had made his pledge, and this had at once been dis-

⁴⁸ Van Zandt and Henderson to Jones, April 12, 1844, "Texas Diplomatic Correspondence," Vol. II, pp. 269-273.

⁴⁹ It was asserted by opponents that the "pledge" had been required in advance, and then carefully concealed as long as possible. "National Intelligencer," June 3, 1844. Meigs's "Benton," p. 348.

⁵⁰ "Congressional Globe," Twenty-ninth Congress, Second Session, pp. 458-460. Calhoun, of course, at once denied Houston's claim, saying that "for himself, he had no such intention as the Senator's interpretation would imply."

⁵¹ Mr. Rives ("The United States and Mexico," Vol. I, p. 609) has remarked on this point and shows (*ibid.*, p. 636) that one of the Texans as early as 1836 called attention to the fact that, in case a treaty of annexation should be rejected, Texas could be admitted as a State by joint resolution, "Texas Diplomatic Correspondence," Vol. I, p. 164. Calhoun assumed in words this knowledge on their part in his dispatch of September 10, 1844, to Howard, approving of the construction furnished by the latter to the Texas authorities of Nelson's letter disavowing Murphy and of his letter of April 11. Howard in his letter upon this same subject to the Texan Secretary of State had expressed his happiness to know that he was addressing one who was familiar with our government and its system of limitations, Calhoun's "Works," Vol. V, pp. 361-63, 377-79.

avowed, on the very ground of the constitutional limitations upon our Executive. In addition to this most express statement as to our fundamental law, Van Zandt had been long in Washington and quite deeply enough engaged on this very subject to know what could and what could not be done, and the verbal assurances he and Henderson received even more distinctly than the letter, looked chiefly to a recommendation by the President to Congress. Doubtless, they aimed to secure all the promises of support that would be granted so as to make out a case for themselves before the people of Texas, and doubtless Calhoun, anxious to secure the treaty, was willing to promise all that he could.

If then the letter was couched in terms which might have been misunderstood by an outsider or by those who did not consider the subject, it was certainly plain enough to the persons to whom it was immediately addressed, and the verbal explanations showed very clearly that a strong recommendation to Congress to defend Texas was the chief promise and the only distinct one. What the Executive would do as to defense, pending the treaty and during a possible adjournment of Congress, was probably intentionally left vague, but carefully limited to "all the means placed within his power by the constitution."

The Mexican minister in Washington had interviews with Calhoun at about this time, and once more insisted that annexation meant war.⁵² Calhoun appears to have explained in reply that the treaty was made necessary to us for protection against the results of the British designs and apparently intimated that the sum of five million dollars—the same which had been offered by England for the recognition of Texan in-

⁵² This had been the position of the Mexicans from the start. Our newspapers had a story that Almonte expressed himself as satisfied (Smith's "Annexation of Texas," p. 195), but this was absolutely false, as Mr. Rives has shown from papers in the Mexican Foreign Relations Office ("The United States and Mexico," Vol. I, p. 606), and as is also most clearly shown by Calhoun's letter of April 22, 1844, to Almonte ("Correspondence," pp. 578, 579), assuring the latter that he had had no part in the origin of the stories, and adding that neither Almonte nor Mexico had ever at any time intimated any "purpose to change the resolution already expressed in the protests of the 23rd of August and the 3rd of November last" upon the subject.

dependence—would be offered. To all this, Almonte was obdurate and wrote home of the “excuses” offered for making the treaty.⁵³

Calhoun was convinced that it was impossible for Mexico, weak and distraught as she was, to enter upon a war with us, and it is plain that he planned to secure her consent by liberal terms as to the boundary line. He ever after bore weight upon the fact that the treaty had provided for the admission of Texas, not as a State (as was later done) but as a Territory, and that therefore our federal government would have had the power to agree to such boundaries as it pleased, without consulting the Texans.

Perhaps, even, as has been suggested already in these pages, the admission as a territory was a feature proposed by him, and he said in 1848 that he was “far from thinking that the treaty which I negotiated established the Del Norte as the boundary,” and to this almost immediately added “what boundary was contemplated at the time, it is unnecessary to state and would be improper, perhaps, on the present occasion.” And possibly he gave a hint of what was in his mind when some few months later, in an angry dispute with Foote, he said that even the joint resolution admitted a dispute of boundary, and that this must necessarily refer to the region east of the Rio Grande and could not be of any other.⁵⁴

The treaty was withheld from the Senate for 10 days, and during this time Calhoun wrote his well-known answer to Pakenham in regard to the communication from Aberdeen,⁵⁵ had

⁵³ Rives's “United States and Mexico,” Vol. I, p. 611.

⁵⁴ “Congressional Globe,” Thirtieth Congress, First Session, pp. 174, 595. No doubt, Polk's report of what Calhoun aimed to secure is to be relied on. He writes on March 30, 1846 (“The Diary of James K. Polk,” Vol. I, p. 312) that Calhoun told him that as Secretary of State he had contemplated “as a very desirable boundary, a line running from a point on the Gulf of Mexico through the desert to the Northward between the Nueces and the Del Norte, to a point about 36° or 37° and thence West to the Pacific so as to include the bay of San Francisco, and he said he would like to include Monterey also.”

⁵⁵ Tyler wrote to Jackson on April 18 that the treaty was delayed, because Pakenham must be answered (letter in Jackson Papers cited in Smith's “Annexation of Texas,” p. 218), but probably the other causes mentioned in the text were not without influence in the matter.

his interviews with Almonte, wrote⁵⁶ at once to inform Murphy, our chargé in Texas that a treaty had been signed, and despatched a special messenger to Mexico to give some indication of the general terms on which he was ready to settle. It seems that before this last step was taken, it had been arranged with Archer, Chairman of the Foreign Relations Committee, that the latter would try to delay action on the treaty for 45 days, in order to allow time for an answer to come back from Mexico.⁵⁷

In the letter to our chargé in Mexico, Benjamin E. Green, he was directed to inform the Mexican Government of the treaty and to assure it that, in adopting the measure we were actuated by no feelings of disrespect to Mexico, but that the step had been forced on us as a means of self-defense by the British policy as to the abolition of slavery. To emphasize this point, copies of Aberdeen's communication and of Calhoun's answer to Pakenham were enclosed to be read to the Mexican Secretary of State. Finally, Green was to assure the Mexican Government of the President's "desire to settle all questions between the two countries which may grow out of this treaty, or any other cause, on the most liberal and satisfactory terms, including that of boundary." With this view, it was added, a minister with ample powers had been appointed and would shortly be sent.⁵⁸

It had best be added here that all these assurances were quite in vain to the proud descendants of the Spaniards, whose reply was simply to repeat the assertion already made more than once, and surely unjustifiable under the circumstances of Texas's *de facto* complete independence for some eight years, that annexation was equivalent to a declaration of war.⁵⁹

⁵⁶ Calhoun, No. 17, April 13, 1844, to W. S. Murphy, MS. in State Department, quoted in part *infra*.

⁵⁷ Benton maintained that the game of politics and President-making was the real object of the delay. Meigs's "Benton," p. 347.

⁵⁸ Calhoun to Green, April 19, 1844, Calhoun's "Works," Vol. V, pp. 347-349. See also the instructions of June 20 to Shannon,—the minister appointed,—to much the same effect on this point, though touching on others of a more irritating character, *ibid.*, pp. 349-356.

⁵⁹ Benjamin E. Green, May 23, 1844, to Bocanegra, and Bocanegra,

Calhoun's letter to Pakenham in answer to Aberdeen's communication, which must next be considered, was at its date and has ever since been an object of much criticism, as unnecessary, a mere defense of slavery, ill-advised, and as one of the means by which the defeat of the treaty came about. Much of this may be admitted in one sense, and from our modern stand-point is perhaps clear enough, but it will not do thus to cast back to-day's mode of thought to an event of a long gone past. We cannot in this way fairly judge the acts of those who preceded us.

That it seemed very unwise to the large majority of those who lived where slavery did not exist is certainly true, and there is little doubt that it did drive some votes away from the treaty,⁶⁰ but Calhoun can hardly have been expected to see the matter from the Northern stand-point. He was far too much of a Southerner for that and far too absolutely convinced of the justice of the South's position, as well as thoroughly satisfied of the terrible dangers to his home-region from the intentions of the British Government. Nor did the letter, as has so often been asserted, largely defeat the treaty. That result, it will shortly be shown, was pretty clearly foreseen, before Calhoun's much-discussed letter even saw the light of day.

Calhoun explained his position in a discussion with Webster, but a short time before his death. He denied the charge made by Webster that he had put annexation on the ground of strengthening the slave interest. "The ground I put it on was that it [the design of Great Britain to abolish slavery in Texas] would make an exposed frontier, and . . . it would be impossible that that frontier could be secured against the aggression of the abolitionists; and that this Government was bound, under the guaranties of the Constitution, to protect us

May 30, 1844, to Green, Senate Document 1, Twenty-eighth Congress, Second Session, pp. 52-57, and Green to Calhoun, June 7, 1844, *ibid.*, pp. 57-59; see also *ibid.*, pp. 61-91.

⁶⁰ Raymond, the Texan Secretary of Legation, wrote that Calhoun's letter might satisfy the South, but would only make opposition elsewhere, adding that he had heard that morning that it had brought the two Ohio Senators into opposition. Raymond to Jones; April 24, 1844, printed in Jones's "Memoranda," etc., p. 343.

against such a state of things.”⁶¹ In other words, protection and not propaganda was his aim.

It is to be noted, too, that the letter, though so much frowned on in the North, was received with great satisfaction in the South. Hammond wrote to Calhoun:⁶² “I was delighted with your note to Mr. Pakenham in regard to slavery. It is precisely the thing that is needed and I do hope it will be published in every European paper.” And Brownson wrote in the *Quarterly Review* a notice⁶³ of the letter, in which, while expressing himself as by no means an admirer of slavery, he said “We read that letter with a glow of patriotic pride; we felt thankful that we had at length one minister of state, who dared to speak the language of national independence and rebuke the insolent foreign government which had presumed to send its minister here to read us a moral lecture.” All our institutions, such was the burden of what Brownson wrote, are sacred and not to be attacked by foreigners; if slavery is an evil, it is for us to judge of it.

The letter to Pakenham⁶⁴ was dated on April 18, and began by saying that the President “regards with deep concern the avowal, for the first time made to this Government,” of Great Britain’s constant exertions to procure the abolition of slavery throughout the world. So long as her efforts were confined to her own possessions, no other country had the right to complain, but now the matter is different and the avowal of that desire in regard to Texas and, as the President infers,⁶⁵ to make abolition a condition on which Mexico shall acknowledge her independence, presents a vital question to us. The danger to the Southern States from such a frontier on the southwest exposed to the inroads of abolitionists, would be too great for

⁶¹ “Congressional Globe,” Thirty-first Congress, First Session, pp. 408, 479, 483, 484. To much the same effect was his speech of February 12, 1847, in reply to Turney, only that he there brought out more clearly the intention of England to bring Texas under her control. “Works,” Vol. IV, p. 334.

⁶² “Calhoun Correspondence,” pp. 953-955.

⁶³ Quoted in Niles’s “Register,” Vol. LXVI, p. 315.

⁶⁴ Calhoun’s “Works,” Vol. V, pp. 333-339.

⁶⁵ I think Calhoun has here interjected,—perhaps unconsciously, but, at least, fairly enough,—that knowledge of the real intentions of England which he had derived from Smith and Green.

us to submit to, and we have accordingly concluded a treaty of annexation with Texas, as the most effectual means of guarding against the threatened danger.⁶⁶

It is not for this Government to question whether the decision in some of our States to continue slavery was wise, nor is this the proper occasion to do so, but the undersigned does not deem it irrelevant to state that the experience of over half a century shows that abolition in our country has been neither wise nor humane. The census and other authentic documents⁶⁷ show that in the instances where it has been adopted, the condition of the African has become worse. "They have been invariably sunk into vice and pauperism, accompanied

⁶⁶ Possibly, here was some of the "bold, unhesitating" course on Calhoun's part of which he wrote. The making of the treaty came as a surprise in England, and Pakenham met the information with diplomatic hints that perhaps "higher authority" than himself might later discuss the project, which was sure "to be viewed in many quarters with the most serious objection."

⁶⁷ Bancroft's letter of May 2, 1844, to Van Buren (Massachusetts Historical Society Proceedings, Third Series, Vol. II, pp. 425, 426), in which he wrote: "What can be more sad than for a man to serve under John Tyler? What, unless it be to found an argument in defence of slavery on fictitious statistics and address it to a British minister!" has led some to conclude that Calhoun was falsifying statistics, but this is an entire error. The census of 1840 was attacked in the House from abolition sources as full of errors in regard to the blacks. The petitions were referred to the Select Committee on Statistics, and its report (House Reports 579 and 580, Twenty-eighth Congress, First Session) rather lent color to the charge, at the same time declining to make any real examination. Later, the House adopted a resolution asking the State Department about the matter, and Calhoun replied May 1, 1844 (House Report 245, Twenty-eighth Congress, First Session), explaining that errors had been found and corrected, before the census was issued, and that after it was published, the Department's functions were at an end and no further examination for errors had been made. Again, at the next session, the matter was brought up, and Calhoun replied by letter of February 8, 1845 (House Report 116, Twenty-eighth Congress, Second Session, or (in part) Calhoun's "Works," Vol. V, p. 458, *et seq.*), enclosing the report of Wm. A. Weaver, the Superintendent of the census in question, whom he had appointed to examine the matter and report. This official thought he showed by direct inquiries that the charges were without basis, and he also seems to show that the like general results were plainly indicated by statistics on the same subjects taken under State authority. See also John Quincy Adams's "Memoirs," Vol. XII, pp. 22, 23, 29, 36.

It may be doubted, however, whether such statistics are of much value for comparison between the North and the South, for crime and incapacity among the negroes must have been treated in very different ways in the two sections. An owner of slaves did not want them immured in jail and would certainly long try to control the matter on his plantation. And the same would be the case as to idiocy.

by the bodily and mental inflictions incident thereto — deafness, blindness, insanity, and idiocy — to a degree without example,” while in the slave States they have improved greatly.

The following statistics from the sources named, he went on, bear this out. The number of deaf and dumb, blind, idiots, and insane, among the negroes in free States is one out of every ninety-six, while in the slave States it is one out of every six hundred and seventy-two. By the census of 1840, Maine contains of these same classes, one out of every twelve and Florida one out of every eleven hundred and five. And in Massachusetts, where the change was first made and where the negroes number but slightly over 8000 in a population of upwards of 730,000, the condition of the African is at its worst: by the latest authentic accounts, one out of every twenty-one of the blacks was in jails or houses of correction, and one out of every thirteen was either deaf and dumb, blind, idiot, insane or in prison.

Pakenham answered the next day, at no great length, stating that Aberdeen's despatch fully showed the British grounds and arguing the error of Calhoun's inference that they were endeavoring to make abolition a condition to Mexico's acknowledgment of the independence of Texas. And this answer Calhoun replied to in eight days. He denied the intention which Pakenham had attributed to him to expound the subject of slavery, or to “defend it as it exists in the United States,”⁶⁸ and said that his purpose in introducing the statistics was to show that it was not merely the means by which Great Britain proposed to attain her end that the United States objected to, but that the very policy itself at which they aimed was shown by statistics to be highly detrimental to the African race and hence of necessity to disturb the slaveholding States' “internal tranquillity and the prosperity of the Union.” And he closed by emphasizing the slight weight to be attributed to Aberdeen's general phrases as to counselling Texas but not seeking to compel her, which could have no effect in “weaken-

⁶⁸ It will be observed that the British minister at once took this view of Calhoun's purpose, as did nearly the universal sentiment in non-slavery regions. Calhoun, no more than the South, appreciated,— unless at times,— how much slavery put them alone in the world.

ing the inference of the President; nor does he consider the remarks of Mr. Pakenham as a denial of the truth."

These last words probably indicate a desire on Calhoun's part to extract an admission later that the British dealings in Texas did make abolition a condition for securing the recognition of her independence, but Pakenham perhaps saw this danger or others ahead of him in a long correspondence, and he merely acknowledged receipt of this letter and wrote that it would be transmitted to England. Here the correspondence ended.⁶⁹

Pakenham had tried to dissuade Calhoun from writing his letter,⁷⁰ and thought the intention was to make a reply for popular effect to the British suggestions. Nor was he far wrong, for Calhoun wrote at the time that his letter "was intended to lay the foundation, on which to stand in the future progress of the correspondence. I shall rise at every step until England shall be placed on the defensive. I only ask the South to stand by me," and again a little later that his two letters "were intended but as the beginning of a long correspondence with the British Government which in its progress would involve all the subjects embraced in her course in reference to our country on the question of slavery. In that, I was disappointed, as no reply was made to my second letter to Mr. Pakenham; but much which I intend[ed] to bring out, has been brought out on other questions."⁷¹

On April 22, three days after the reception of Pakenham's first reply to Calhoun, the treaty was sent to the Senate, with many accompanying papers,⁷² one of which was Calhoun's first letter to Pakenham. In the fact of the letter's being thus put in the way of probable early publication, additional evi-

⁶⁹ The various letters and answers are all to be found in Calhoun's "Works," Vol. V, pp. 330-347.

⁷⁰ Smith's "Annexation of Texas," p. 204, citing from the British Foreign Office Pakenham's despatch No. 22, dated April 14, 1844.

⁷¹ Calhoun to Hammond, May 17, 1844, "Correspondence," pp. 588, 589, and to Francis Wharton, November 20, 1844, *ibid.*, pp. 629, 630.

⁷² Senate Document 341, Twenty-eighth Congress, First Session. Secrecy was removed by vote on May 15 (*ibid.*), but the treaty, at least, had already been published in the New York "Evening Post" by May 1 "by some treachery." John Quincy Adams's "Memoirs," Vol. XII, pp. 21, 22.

dence may perhaps be found that Calhoun intended it for effect on the public,—of course in the South.

The message of the President transmitting the treaty bore weight on the vast importance of the subject of annexation to the whole country and has thus led some to the conclusion that it was designed to lessen the sectional effect of Calhoun's letter to Pakenham, but it may be surmised that Calhoun thoroughly indorsed the message as well. He was absolutely sincere in desiring annexation and fully convinced that it was called for by the interest of the country and that its defeat would be dangerous to the Union.⁷³ The message even referred in words much as Calhoun had done, to the results the treaty would have in regard to slavery in our Southern and Southwestern States, speaking of the "protection and security to their peace and tranquility, as well against all domestic as foreign efforts to disturb them" which it would afford.

The treaty had already been sent to Mexico together with placating letters, in the hope of softening Spanish pride by gentle methods, with the result which has been seen, and it had also been sent to Texas on the day after it was signed. It was now forwarded to Everett, with the Pakenham correspondence and he was told that the measure had been forced on us by the policy announced in Lord Aberdeen's despatch. He was directed "in temperate but firm language, [to] make it to be understood that, reluctantly constrained in self-defense to adopt the measure in question, the Government of the United States will shun no responsibility which justly attaches to her conduct."⁷⁴

⁷³ The "Globe" charged that the Pakenham letter was written with the design of defeating the treaty, but the story was absurd. Calhoun beyond doubt entered the cabinet largely for the purpose of carrying annexation, and it will be shown that Tyler thought him deeply dejected at the loss of the treaty. Nor had he at the time any idea of disunion; on the contrary, almost at the very same period, he stopped the Bluffton movement. There is not, so far as I can see, the least reason to suppose that he even had any thought of arranging matters so as to put the South in good position in case of disunion, though conceivably this may have been distant in his mind. The "National Intelligencer," May 3, 1844, and see generally Smith's "Annexation of Texas," pp. 201-220. Calhoun declined in a public letter to defend himself from this charge.

⁷⁴ Calhoun to Everett, April 27, 1844, "Calhoun Correspondence," pp. 579, 580.

In Texas, Calhoun's letter of instructions of April 13 to our chargé arrived on April 26 by the same messenger who bore the Texan duplicate copy of the Treaty and other papers, and Murphy hurried to an interview, already arranged for, with Houston. The latter expressed his hearty approbation and, when the chargé read such parts of Calhoun's despatch as he "deemed useful and proper to communicate . . . [Houston] rose to his feet and gave utterance to his feelings of gratitude towards the President of the United States and yourself." . . .⁷⁵ For the time being, nothing remained to be done in Texas. The fate of the treaty was to be decided in Washington.

Upshur had been convinced that there was more than the necessary majority of two-thirds of the Senators in favor of a treaty⁷⁶ and Calhoun entertained little doubt of its adoption, at the time it was signed.⁷⁷ But this confidence did not last very long. Some days before the signature, Jackson had

⁷⁵ W. S. Murphy to Calhoun, April 29, 1844, "Calhoun Correspondence," pp. 947-49. Calhoun, No. 17, April 13, 1844, to W. S. Murphy, MS. in the State Department. There is nothing of importance in this letter of instructions to Murphy that has not already been shown from Calhoun's letter of April 11 to Van Zandt and Henderson and other well-known papers in the connection, but it may probably be assumed that Murphy read to Houston Calhoun's statement: "I entertain little doubt of its [the treaty's] approval" by the Senate, and the following which may well, at first reading, have sounded decided enough to justify Houston's delight. "It is the President's intention," Calhoun wrote, "to exert all his constitutional power to defend Texas against Mexico, should this latter power make an attack pending the treaty. An assurance to this effect is given in the note from this Department to Messrs. Van Zandt and Henderson, a copy of which is herewith transmitted.

"To enable this government to accomplish the purpose referred to, a large naval force will be ordered to rendezvous in the Gulf of Mexico, under the command of Captain Conner, who is now the commander on that station. The whole military force of the western division will also be put under the command of General Gaines, who will be ordered forthwith to Fort Jesup, as his headquarters. . . .

"Should you receive any information from him [President Houston] going to show that Mexico meditated any serious attempt to invade Texas, you will promptly communicate the information to General Gaines and Captain Conner. These officers are authorized to inform the Mexican force that the President would regard an attack upon Texas during the pendency of the treaty before the Senate, as an act of hostility towards the United States, and would exert all the force which he may possess to repel it."

⁷⁶ Upshur to Murphy, January 16, 1844, Senate Document 341, Twenty-eighth Congress, First Session, pp. 43-48.

⁷⁷ Calhoun to Murphy, April 13, 1844, *ut supra*.

been informed that the outlook in the Senate was unfavorable, and that the Whig Senators inclined to postpone the measure, lest it should affect Clay's prospects,⁷⁸ and on the 18th — still before the publication of Calhoun's letter to Pakenham — Tyler himself wrote Jackson that the Senate's action could not be foretold.⁷⁹ By May 17th, Calhoun also feared that it would be lost.⁸⁰

While the treaty was pending, various calls for information were made, with the design of bringing out supposed Executive secrets. The orders to concentrate a military and naval force in the neighborhood were brought out by these calls, but it plainly appeared that the forces were to be sent, not to attack, but to awe and at the same time to report so that the subject could be laid before Congress. In the event of actual invasion of Texas, however, pending the treaty, the President stated his opinion that such a step would justify us in the "employment of any military means at our disposal to drive back the invasion," and this was apparently intended to mean of the Executive's own discretion, at least during an adjournment of Congress.⁸¹

It was in answer to one of the hostile calls, also, that Calhoun's letter of April 11, in regard to protecting Texas during the pendency of the treaty, was brought out, and Benton triumphantly exclaimed in the language of a Spanish proverb "The devil is now pulled from under the blanket."⁸² Doubt-

⁷⁸ Miller to Jackson, April 7, 1844, cited in Smith's "Annexation of Texas," pp. 174, 175.

⁷⁹ Tyler to Jackson, cited in *ibid.*, p. 218. Clay's famous Raleigh letter opposing the annexation of Texas was dated April 17 and published in the "National Intelligencer" of April 27, and Van Buren's like letter appeared in the "Globe" on the same day: see McMaster's "United States," Vol. VII, pp. 326-31.

⁸⁰ Calhoun to Hammond, in "Correspondence," pp. 588, 589.

⁸¹ Messages of May 15, 1844, Richardson's "Messages," Vol. IV, pp. 316-18: of May 16, 1844, *ibid.*, pp. 318-319, and of May 31, 1844, Senate Document 349, Twenty-eighth Congress, First Session. See especially the last cited document on the subject of the meaning of earlier messages. It reads: "In my message to the Senate of the 15th of this month, I adverted to the duty which, in my judgment, the signature of the treaty for the annexation of Texas had imposed upon me to repel any invasion of that country by a foreign Power, while the Treaty was under consideration in the Senate."

⁸² Meigs's "Benton," p. 348.

less, the administration would have preferred that this letter should not see the public light, for in politics the need of explaining is always to be avoided. The mass of people will not take the trouble necessary in order to understand explanations.

The treaty came finally to a vote on June 8 and was rejected, receiving only 16 votes against 35, instead of the necessary two-thirds. Two days later, Tyler sent a message⁸³ to both Houses recommending the admission of Texas as a State and urging the vast importance of the question to our country for national reasons, while at the same time not failing to refer to the evident policy of England to establish her influence there.

It has been asserted,⁸⁴ that Calhoun was for a time in such deep dejection at the loss of the treaty as to be apparently unnerved, and that Tyler even thought of demanding his resignation, but probably this has been greatly exaggerated. The story will be touched upon later. The defeat was of course due to various causes, but there can be little doubt that politics and the game of the candidates was an important one of these. This is the one which it is probable that Calhoun looked upon as having brought about the result.⁸⁵

Perhaps, in few instances has the turning over of historical records so completely justified the fears of the alarmists,—possibly they may even merit the very unpleasant name of jingoes—as it has in relation to Texas. The people of gentle nature were utterly wrong here. Nothing is plainer to-day than that foreign powers were making a hard struggle to control the

⁸³ Message of June 10, 1844, "Congressional Globe," Twenty-eighth Congress, First Session, pp. 662, 663. Before the treaty was signed, Tyler had told the Texas envoys that this would be his course, in case of rejection. Van Zandt and Henderson to Jones, April 14, 1844, "Texas Diplomatic Correspondence," Vol. II, pp. 269-73. It has already been mentioned that this course had been suggested by a Texan as early as 1836.

⁸⁴ Tyler's "Tyler," Vol. II, p. 331. The writer says that the President spoke more than once to one of his sons of demanding the resignation, and adds (*ibid.*, p. 330) on the authority of Niles's "Register," Vol. LXVI, p. 192, that rumors were current in May of 1844 that Calhoun was about to retire on account of differences with Tyler. See *post*, p. 346.

⁸⁵ Crallé writes to this effect in the "Preliminary Remarks" to the "Texas Correspondence," and it is not far-fetched to suppose that he reflected Calhoun. He mentions even specific instances, one of which seems to refer to Benton, while I am unable to fix the others. "Calhoun Correspondence," Vol. V, pp. 319, 320.

country in their interest and virtually to exclude us from it, and it was only our "bold unhesitating course,"—in the later stages largely under the inspiration of Calhoun—that added Texas to our empire. That its loss would have been a most serious one to us is too plain to-day to need argument. Hammond was not wrong in writing to Calhoun, at the same time when confessing his daily growing despair of the Union, that "with Texas, the Southern States would form a territory large enough for a first rate power."⁸⁶ Here was, beyond question, a serious peril to the American Union.

The British efforts to bring Texas into what may be called their sphere of influence were for a time very active and continued until a late day. In the spring of 1844, when it was evident that we were planning annexation, Aberdeen became greatly excited, and our treaty of annexation, which was probably known in Europe about the middle of May, came to them as a surprise,⁸⁷ and of course added to their activity. On May 29, after Aberdeen had sounded France, he had an interview with the Mexican representative in London, which resulted in the draft of a memorandum to the effect that England was dis-

⁸⁶ Letter of May 10, 1844, in "Calhoun Correspondence," pp. 953-55. This general subject is well presented in Smith's "Annexation of Texas," pp. 220, 413. Even the rumored sale of California to the British under the guise of a mortgage, in relation to which Duff Green was making inquiries in 1844 ("Calhoun Correspondence," p. 978), was by no means without foundation, though such a plan was never actively countenanced by the British Government. It had in effect been proposed by Pakenham in 1841 and was again made by Mexico in 1846. In both instances, the British declined it (E. D. Adams's *British Interests*, etc., pp. 237-40, 261-63). It had also been proposed by the inhabitants of California, and by others on another occasion,—and once, in 1845, Aberdeen discussed some such plan with the Mexican minister (George L. Rives's "Mexican Diplomacy on the eve of War with the United States," *American Historical Review* (January, 1913), Vol. XVIII, pp. 281, 288-90). Calhoun's "Correspondence" contains other letters to him showing possible dangers from foreign action, which stood in our way: See *e. g.*, M. P. Norton to Calhoun, April 29, 1844, Memucan Hunt to Calhoun, October 2, 1844, and Ambrose Dudley Mann to Calhoun, October 31, 1844, pp. 949-52, 973-75, 982-86. Houston and Anson Jones both, moreover, tended against annexation, and Ashbel Smith, who had been strongly in favor of union with us, was at the end in favor of separate existence. King to Calhoun, January 29, 1845, and Calhoun to Donelson, May 23, 1845. "Correspondence," 658, 659, 1022, 1023. See also Ashbel Smith's "Reminiscences," pp. 62, 63, 69, 70, 80-82.

⁸⁷ Ashbel Smith to Jones, June 2, 1844, "Texas Diplomatic Correspondence," Vol. II, pp. 1485-88.

posed, with France's aid, even to go to war in order to prevent the measure, if Mexico would acknowledge the independence of Texas,⁸⁸ and in a few days (June 3) letters were despatched to various English diplomatic agents urging them generally to exert their influence against annexation. Pakenham was instructed "to act cautiously yet with decision in the matter."⁸⁹

France rather fell in with the plan for a time and on June 24 Aberdeen advanced a step. He told Smith, the Texan representative, of the agreement between France and England, and proposed that those two powers, Texas, Mexico, and the United States (if the latter would), should unite in what he called a "diplomatic act," to "guarantee the separate existence of Texas . . . [which] would of course be perpetual," and in this way to settle the whole question. Our treaty of annexation was perhaps then still supposed to be pending, but in any event nothing was to be done in the matter until Congress should have finally disposed of the subject for that session.⁹⁰ Aberdeen evidently did not want to find himself involved in some positive and unavoidable issue with us until he knew more of our purposes.

That some moves were making by England and France, looking to interference in Texas, did not long remain unknown in our country. Calhoun knew of them by early July,⁹¹ and public feeling was steadily growing stronger among us upon the subject, nor was our temper kept hidden from the British emissary. Doubtless, Calhoun and others let their feelings appear plainly enough and for over a year, owing to occurrences

⁸⁸ E. D. Adams's "British Interests," etc., pp. 167-169. The memorandum made is here printed at large.

⁸⁹ *Ibid.*, pp. 169-175, and see E. D. Adams's "English Interest in the Acquisition of California," "American Historical Review," Vol. XIV (July, 1909), p. 750.

⁹⁰ Ashbel Smith to Jones, June 2, 1844. "Texas Diplomatic Correspondence," Vol. II, pp. 1153-56. See also E. D. Adams's "British Interests," etc., pp. 169, 170.

⁹¹ Calhoun wrote to C. J. Ingersoll on July 2: "The concerted and active interference of the English and French Governments against the Annexation of Texas cannot be doubted." "Correspondence," p. 599. See also Lewis to Jackson, July 19, among the Knoxville Jackson Papers, now in Library of Congress, cited in Smith's "Annexation of Texas," p. 392.

which can only be surmised, the perhaps irascible chairman of the House Foreign Relations Committee, Ingersoll, was not even on speaking terms with the perhaps equally irascible Pakenham.⁹² The latter at least knew our intense feeling upon the subject from some source, and wrote Aberdeen on June 27, hinting very plainly that, if we determined on annexation, he was convinced that we would not be deterred by the prospect of war with France and England.⁹³ Here was a vital factor in the matter, and we shall see ere long the great influence it had on the course of events.

The position of France was of course of much importance to us, and it was not long before our minister, King,⁹⁴ had conversations with Louis Philippe and with Guizot in regard to it. King told them that annexation was sure to come in some way, that France had only commercial interests in Texas, while England was aiming at control, and obtained an answer to the effect that France, though anxious to see Texas independent, would not proceed to acts hostile or unfriendly to us. This information he soon sent home,⁹⁵ and it was of much interest to Calhoun.

The opinion the latter held of English motives in regard to Texas, and in the world in general, has already been shown, and here was apparently a very plain chance to use this view for the good of his own country and to foment strife and jealousy between the two great powers which were tending to unite

⁹² Mrs. Maury's "Statesmen of America," pp. 159, 160.

⁹³ E. D. Adams's "British Interests," etc., pp. 177-181. Pakenham only wrote this letter after conference with the French minister in Washington, who fully agreed with him and wrote to his Government in much the same terms.

⁹⁴ The French ministry had long been left vacant, and King appears to have been sent out because of the known inclination of France to unite with England against us in Texas. Meigs's "Ingersoll," p. 264.

⁹⁵ King to Calhoun, July 13, and July 31, 1844. These despatches have, I think, never been printed, but the substance of the one of July 13 was stated by Calhoun to be contained in his letter ("Works," Vol. V, pp. 379-92) of Aug. 12 to King, and of the one of July 31 in his letter of Aug. 26 to King. They reported private conversations, in which assurances were given that France would not proceed to acts unfriendly to us and would not join in a protest against our annexation of Texas. Niles's "Register," Vol. LXVII, p. 281. See also Calhoun to King, October, or November, and December 28, 1844, and January 29, 1845, in "Calhoun Correspondence," pp. 986-990, 1013-15, 1022, 1023.

against us. The French people were still full of dislike and suspicion of the English, inherited from Napoleonic and earlier days, and Calhoun's keen vision saw at once the opportunity to play upon this chord.

On August 12th, he accordingly wrote a long despatch to King,⁹⁶ in which he began by referring to the President's satisfaction upon hearing that France would join in no hostile movement against us, doubtless thereby aiming to stir up the wrath of the English against their hoped-for ally. Then he went on that no one could take a look at the map without seeing that Texas was destined to be a part of our Union. The time and mode might be doubtful, but if delay was caused very great dangers would threaten Mexico, and these might well disturb the general peace. The designs of England as to slavery were borne upon and reference made to Aberdeen's letter and to the correspondence with Pakenham, and to this was added that the interest of France was against this scheme, which had shown such disastrous results to English trade and commerce that she now seeks to induce other countries to adopt abolition, in order that she can compete with them.

Statistics were cited from *Blackwood's Magazine* to show the alleged loss to English trade, and her real object in urging abolition in other countries was asserted to be to depress her successful competitors, who still adhered to slavery. Can it be, he went on, that "governments so enlightened and sagacious as those of France and other great continental powers, can be so blinded by the plea of philanthropy," that they will not see the disastrous results to the negro, as well as to trade, which experience in the British possessions and in some of our States has shown to flow from abolition?⁹⁷

The monopolizing tendencies of the British, and their desire

⁹⁶ "Works," Vol. V, pp. 379-92. Moore's "International Digest," Vol. I, p. 453, and Vol. VI, p. 530, refers to two other like letters of Calhoun to King of August 1, and August 26, but there is no little appearance that they are but the letter of August 12. I have not felt it necessary to solve the problem, which is unimportant.

⁹⁷ The modern world will perhaps dismiss this argument as little less than absurd, but the reader must bear in mind that the subject was at that time by no means so clear to all.

to master the world, were borne on in a vein which was sure to find an echo among the French people of that time, and King was directed to use these views on all occasions, when he thought they might be used with effect in his correspondence. Means were also taken to publish this letter to the world, as an addition to the President's message of December, 1844. Nor was this all, but it was republished in Paris and was said to have been "extensively circulated,"⁹⁸ and Calhoun again wrote King in December to the same general effect as on August 12.⁹⁹

About a month before the letter of August 12 to King was written, Aberdeen had received Pakenham's despatch of June 27 to the effect that we would go to war for Texas, and the information it contained led quickly to a change in his plans. He strongly wanted an independent Texas but had no desire to precipitate a war, which might have involved several nations, and would have been highly unpopular in England. He was therefore from this time on lukewarm in regard to the proposed armed interference, and France, the proposed partner in the distant venture, was perhaps more so.

Some writers have thought that the dates of these events show that Calhoun's letter to King was of no effect, but this view leaves out of sight the fact that for more than a year later, efforts were still making, chiefly by the English, to induce Mexico to acknowledge the independence of Texas and at the same time to prevent, without resort to war, the annexation of the latter to the United States. It may at least be safely said, that Calhoun's effort to sow tares between the enemies of his country was a praiseworthy one, and the later course of

⁹⁸ Hammond's "Diary," in Library of Congress, under date of March 16, 1845. He writes that his Glasgow letter and Calhoun's letter to King had been republished in Paris in pamphlet form, etc. It may be that this was done under an authorization to King from our administration to expend \$500 "for certain object." King had written that the French press was very venal and "well understood . . . [to be] in the pay of the society of Exeter Hall," and had suggested the use of a part of the contingent fund to obtain the insertion of articles "to disabuse the public mind here, as to the actual condition of the slaves of our country." King to Calhoun, October or November, 1844, and January 29, 1845, "Correspondence," pp. 986-990, 1022, 1023.

⁹⁹ Calhoun to King, December 13, 1845, "strictly confidential," "Correspondence," pp. 631-33.

France seems to indicate that her leaders had been impressed by some of the arguments he had advanced.¹⁰⁰

Meanwhile, the Mexicans were astir again, outraged by our proposal to annex a part of what they still called their territory. They notified Texas in June of 1844, that the armistice existing between the countries was at an end and they about to resume hostilities, and the plan of warfare, as it became known later, involved some methods of a violent and cruel nature. The consequence was an application on August 6, by the Texan Secretary of State to our chargé, Howard, for that protection which he said had been promised by Murphy and by Calhoun. On the same day, Howard declined the aid on the ground that the time for which it had been promised (*viz.*, "*during the pendency of the treaty*, to which alone both Mr. Calhoun and Mr. Van Zandt seem to have had reference") had passed and the promise had no application in the present emergency.¹⁰¹

This correspondence was of course at once transmitted to Washington, but we are left a little to conjecture as to the actual impression it made there. It arrived during the vacation, and we know only the action taken by Calhoun; but there can hardly be doubt of what he thought. A reply was sent on September 10, approving in the name of the President the interpretation of our assurances of protection, but the despatch did not end here. Entirely correct as Howard's answer had been, it was perfectly proper and to be expected that the plans

¹⁰⁰ Terrell, the Texan representative in London, wrote Ashbel Smith of the "concern" given him by Calhoun's letter to King and the difficulty caused by it in England, but Aberdeen satisfied him on the point by showing him a letter from France,—which letter did certainly not, however, accurately forecast France's action. Terrell to Ashbel Smith, January 21 and 27, 1845. "Texas Diplomatic Correspondence," Vol. II, pp. 1170-73, 1175, 1176. See also Smith's "Annexation of Texas," pp. 405, 406, for the effect the letter had on Aberdeen. Aberdeen had, on October 23, 1844, told the Mexican minister that the plan of armed intervention was at an end. On November 25, too, when the result of our election was known, France had said that she would not go to war, and Aberdeen pretty clearly announced the abandonment of the plan in letters of December 31 to agents abroad, so far as active intervention was concerned. Adams's "British Interests," etc., pp. 180-196. George L. Rives's "Mexican Diplomacy on the Eve of War with the United States," "American Historical Review" (January, 1913), Vol. XVIII, pp. 275-294.

¹⁰¹ Calhoun's "Works," Vol. V, pp. 356-363.

of the administration should under the new circumstances go further, and these were now told to our emissary.

The defeat of the mere treaty was, of course, not the end of the general policy of acquiring Texas, and Howard was accordingly informed that the President felt the full force of the obligation to protect Texas "pending the question of annexation" from attacks of Mexico consequent upon the opening of negotiations looking to that end. "As far as it relates to the Executive Department, he is prepared to use all its powers for that purpose. But the Government of Texas is fully aware that they are circumscribed by the Constitution within narrow limits, which it would not be possible for the President to transcend." All he can do is to make representations to Mexico against her course and to recommend to Congress to repel any attack which may be made.

Enclosed with the despatch¹⁰² to Howard in Texas were copies of Calhoun's letter to King, evidently designed to dash the Texan hopes for European intervention, and of a despatch sent the same day to Shannon, our minister in Mexico, of which Howard was directed to give a copy to the Texas authorities, and which was after all the vital element in the matter.

This despatch to Shannon has been a subject of no little animadversion, and it was beyond doubt full of threat to Mexico and did go beyond any direct authorization of Congress, but it concerned a necessary field for Executive discretion. If Texas was to be annexed,—and that result was certainly desirable, as well as strongly indicated,—it was imperative in the highest degree to stop the Mexican invasion, which was the very thing likely to lead to foreign intervention. Calhoun therefore at once employed the strongest representations against the Mexican plans. Perhaps, the letter was even bullying in parts. The history of our long relations to Texas was traced,¹⁰³ and it was asserted that the only object of Mexico

¹⁰² Calhoun's "Works," Vol. V, pp. 377-79.

¹⁰³ I think it was in this despatch only that Calhoun so much as referred to an argument, which should surely go down among the curiosities of public affairs, and here he only used it as a make-weight. It was to the effect that Texas was ceded in 1819 by the Federal Government without authority and was therefore still *de jure* a part of Louisiana. The fact

could be to defeat annexation, which she well knew was pending before Congress and was now being actively canvassed by our people.

Under these circumstances, it was added, we cannot stand by and see Texas invaded and our "golden opportunity" lost, never to return. The President will therefore regard the invasion, "while the question of annexation is pending, as highly offensive to the United States."¹⁰⁴

Calhoun was also called upon in regard to the matter by Raymond, the acting Texas chargé, and assurances to the like effect were given the latter and he was told that the military orders issued at the making of the treaty were continued in effect. One clause in these should be noticed, for it may quite possibly have been designed to serve as a means by which we could in reality intervene, in case we desired, in defense of Texas under the terms of an existing treaty with Mexico.

The same provision was also inserted in a despatch of September 17 to our new emissary, Donelson,¹⁰⁵ who was informed

that it had for twenty-four years been in the complete control of other sovereignties was dismissed as of no weight. James Hamilton was strongly bitten with this mental frill, which seems, from his statement to Calhoun, to have originated with one Howard of Georgia, and long resolutions upon the subject were introduced into the South Carolina House on December 8, 1843, by a member named Walker. These traced "the successive steps of misapprehension and mistake which have led to the supposition that Texas has ever been for a moment out of this Union since the cession" of Louisiana by France, and then resolved that the cession to Spain in 1819 "was absolutely null and void . . . [and that] no lapse of time can sanctify a manifest violation of the Constitution of the United States by its government, a principle in no degree modified by a mistaken and temporary recognition of the independence of Texas either by our own or any foreign government." Niles's "Register," Vol. LXV, pp. 241, 242; Hamilton, November 21, 1843, to Calhoun, "Correspondence," p. 894. Calhoun wrote in his letter of December 25, 1843, to Gilmer, that he did not think there was anything in this argument (*ibid.*, p. 560), and in 1850 said in the Senate: "I never would run into the folly of re-annexation which I always held to be absurd." "Congressional Globe," Thirty-first Congress, First session, p. 483.

¹⁰⁴ Calhoun to Shannon, September 10, 1844, "Works," Vol. V, pp. 364-373.

¹⁰⁵ Prof. Walmsley thinks that the selection of Donelson for this post was an effort by Calhoun to secure Jackson's support for his continuation in Polk's Cabinet (Article on "Calhoun's Return to the Senate in 1845," already cited), but it may probably as well have been made with a view to the general effect of a reconciliation with Jackson on his chances for the Presidency in 1848. Nor is it impossible that Tyler made the appointment, as it will shortly be seen that Calhoun said was largely Tyler's p. 464.

that the Mexicans were inciting our Indians to hostilities against Texas, and was then instructed that, in case Texas should so request and he think the ground sufficient, he might direct enough of our forces "to be marched and stationed at such points as you may, on consultation with the Texan authorities, deem best adapted to secure the object — either within the limits of the United States, or, if requested by the Government of Texas, within its limits; it being understood that the objects are limited to the fulfillment of our treaty stipulations." Raymond wrote that "Mexico could not complain of such a step, for it would be in strict accordance with the 33d article of her treaty of 1831 with the United States, and, under that article of the treaty, Texas has the right to demand this course of the United States."¹⁰⁶

The despatch of September 10 to Shannon was highly offensive to the Mexicans and quickly brought about an angry correspondence between our minister and the Mexican Secretary of State. So full of temper and feeling was this that even diplomatic intercourse between them became impossible. Such a result did not suit Calhoun, and he advised that the propriety of resigning should be suggested to Shannon on the ground that, though his course was in the main approved, his last letter in the correspondence bore the appearance of being an appeal from the Government to the people of Mexico.¹⁰⁷

custom. Donelson tried later to bring about a reconciliation of Jackson and Calhoun, but Jackson was too far gone in health. Donelson to Calhoun, December 26, 1844, and January 30, 1845, "Correspondence," pp. 1011-13, 1023, 1024.

¹⁰⁶ Raymond, September 12 and September 19, 1844, to Jones, "Texas Diplomatic Correspondence," Vol. II, pp. 310-312. Calhoun to Donelson, September 17, "Works," Vol. V, pp. 376-77. Senate Document 1, Twenty-eighth Congress, Second Session, pp. 37-39. Raymond wrote to Jones on September 13 that Calhoun told him he had wanted to renew the assurance given the Texans in the preceding April in regard to the disposition of our army and navy pending annexation, but the Secretary of the Navy and of War had objected: letter printed in Anson Jones's "Memoranda, &c., of the Texas Republic," p. 382.

¹⁰⁷ The Shannon-Rejon correspondence is to be found in "Congressional Globe," Twenty-eighth Congress, Second Session, "Appendix," pp. 27-34, or in Niles's "Register," Vol. LXVII, pp. 262-4. Calhoun, May 30, 1845, to John Y. Mason, "Correspondence," p. 662. Calhoun drafted such a letter to Shannon for the President to sign, but was almost immediately taken seriously ill, and it was too late to do any good by such a step when he recovered. This hardly looks like an effort to goad the Mexicans to

Still, at this late hour, Calhoun was evidently convinced of making a peaceable settlement by negotiation. Writing his son-in-law on December 13 of this angry correspondence, he told him "It will end in words. She [Mexico] is on the eve of anarchy and revolution, and is destitute of the means of waging war."

It has been shown that this had been Calhoun's opinion from the start, but perhaps weight had now been added to it by Duff Green. The latter had been again sent, doubtless at Calhoun's instance, on a roving commission; this time to Texas and Mexico. In September, 1844, he was appointed consul at Galveston, without salary,¹⁰⁸ and we may safely assume that the fees and duties were not materially larger and that the real object was that he should ferret out hidden motives or work for some grand scheme. Green wrote in later life,¹⁰⁹ that he went at Calhoun's request "to aid in conducting the negotiation for the acquisition of Texas, New Mexico and California; and upon handing me his letter of instructions," he remarked that in case of my success, our commerce on the Pacific would soon be more valuable than that on the Atlantic.

However accurate or otherwise this memory of events long since may have been, Green was evidently soon bustling about in the way that was characteristic of him, and in this particular instance he interfered so much in the affairs of another people that he quickly got himself into trouble. His *exequatur* was revoked "and the worst possible feeling existed between him and the President," Anson Jones. He was probably only saved by the efforts of our chargé, Donelson, who wrote Calhoun that Green, full of zeal for annexation and mistaking the sense in which members of the Texan Congress listened to his project, was in reality from the start looked upon with suspicion and was soon "involved in the responsibility of measures con-

an outburst, as some have thought Calhoun designed, in order to fire our country; nor can I see evidence of such a scheme at any stage of the proceedings.

¹⁰⁸ Calhoun to the President, February 10, 1845, "Correspondence," p. 643, or Senate Document 83, Twenty-eighth Congress, Second Session.

¹⁰⁹ Green's "Facts and Suggestions," p. 85.

templating a serious change in the policy of the Republic [of Texas], employing the Indians of the United States and Texas in the invasion of Mexico and revolutionizing the country from the Rio Grande to the Pacific under the flag of Texas."¹¹⁰

Some time before these revolutionary plans of Green had thus got him into trouble, he had written Calhoun from Mexico on October 28, detailing the stories of corruption in Mexican politics and the likelihood of revolution, and adding that he was convinced it was impossible to obtain from Mexico the cession of Texas or of any part of her public domain. But he went on that there was "one way and but one in which all that our Government desires and much more than you ask for can be had," but added that he would reserve his views for personal explanation. Probably the plan he then had in mind was of a nature similar to the revolutionary movement, which he was soon nursing, and it is likely that a part of it was what he wrote a month later from Galveston, that we ought to seize and hold Vera Cruz, which was the key to the commerce of Mexico.¹¹¹

No action whatsoever was taken on these suggestions, nor is

¹¹⁰ A. J. Donelson to Calhoun, January 27, 1845, "private and unofficial," "Correspondence," pp. 1019-22. Green wrote Calhoun on December 8, 1844, of Houston that "if he were left to himself he would put on foot an offensive war. All his arguments go to show that his mind is occupied with the Conquest of Mexico and the establishment of a new Republic." *ibid.*, pp. 1006, 1007.

¹¹¹ "Calhoun Correspondence," pp. 975-80, 1000-1002, 1003; and see also Green (October 28) to R. K. Crallé to much the same effect in the Green Papers, in Library of Congress. Green was highly impressed with the need of "whipping" the Mexicans, ("Calhoun Correspondence," pp. 991-95) and so was Shannon (*ibid.*, p. 995) whom only the illness of Calhoun had saved from a request for his resignation. Modern days have witnessed the experiment of seizing Vera Cruz,— "without making war" on the Mexican people,—but agreement as to what, if anything, was gained can hardly be expected.

Green wrote late in life ("Facts and Suggestions," p. 85) that "an arrangement was made for a movement in Texas which would enable the United States to interpose and thus obtain the concessions wanted. I came to Texas, explained to the President and to the Congress the measures which had been agreed on, and which would have been approved and adopted but for the interference of Mr. Elliott, the British chargé to Texas, who induced the President, Mr. Jones, to believe that he could and would induce the Mexican Government to recognize the independence of Texas," &c., &c., upon the condition that she would remain independent. Perhaps Green's "arrangement" contemplated action under the clause in regard to protecting the Texans from our Indians, but that provision was not in fact acted on at all. Donelson to Calhoun, November 18, 1844. "Calhoun Correspondence," pp. 996, 997.

there a scrap of evidence, so far as I know, to connect Calhoun with any of Green's wild schemes in the matter. They were quite foreign to Calhoun's nature, and Green's statement that by his plans "much more than you ask for can be had" plainly indicates that his exuberance had led him to aim far beyond his instructions.

It has been said that the British efforts to prevent annexation by us continued until a late day, and one effort was making at the very time of our final success. The British and French agents in Texas were very active against annexation in the early months of 1845, promising peace with Mexico if Texas would maintain her independence,¹¹² and about the time when news reached Texas of the passage on March 1 of our joint resolution of annexation, a preliminary treaty to this general effect was signed by Ashbel Smith on behalf of Texas.

Elliott, the British minister, was the main originator of this paper, which Mexico had insisted should first be signed in Texas. When this was accomplished he carried it to Mexico, but here it met with some public disapproval and delay. It was, however, ratified on May 17, and Elliott then bore it back to Texas, but was too late. Texas was by that time almost in the act of electing delegates to a National Convention, and this body voted on July 4, by 55 to 1 in favor of accepting our joint resolution, which her Congress had consented to unanimously on June 21, and which a popular vote later approved with few negative votes.¹¹³

It remains only to add a few words in regard to the enactment and carrying out of our Joint Resolution for Annexation. When Congress met in regular session on December 3, 1844, the President's message referred the whole subject of Texas to it, aimed to put the matter on broad grounds of national policy and contended that the election had in fact settled the question. A few days later (December 18) another mes-

¹¹² Green to Calhoun, December 29, 1844, and Donelson to Calhoun, January 30, 1845, "Calhoun Correspondence," pp. 1018, 1023.

¹¹³ E. D. Adams's "British Interests," etc., pp. 197-218. Ashbel Smith's "Reminiscences," pp. 73, 77, 82. Duff Green's "Facts and Suggestions," pp. 85, 86. Justin Smith's "Annexation of Texas," pp. 432-35, 456-61. Rives's "United States and Mexico," Vol. I, pp. 705-17.

sage, with more papers, was sent in, the wrongfulness of Mexico's course was borne upon, and again members were told that "the subject of annexation addresses itself, most fortunately, to every portion of the Union . . . [it is] neither local nor sectional."

A determined contest arose, especially in the Senate, where Benton was strong in opposition and offered a bill of his own for the admission of Texas, partly slave and partly free, on terms to be settled by negotiations with Mexico and Texas. This was thought most unwise by Calhoun, on the ground that under its terms the officials of the Government of Texas, who were well known to be opposed to annexation, would have been able to control or defeat the measure by raising embarrassing propositions, and he aimed to secure its rejection. The means he employed were presumably those of argument with members, and he wrote that "it was with great difficulty and after much exertion that I defeated it in that shape; in which, had it passed, annexation would, from what has transpired, have been clearly lost."

Benton's plan was, however, later moved to be added to the pending House bill as an alternative for the President to adopt, should he see fit, and this motion was carried, against Calhoun's opposition. In this shape the bill passed the Senate, on February 26, by 27 to 25, by a party vote and not on sectional lines. It passed the House two days later, and was signed by the President on March 1.¹¹⁴

Calhoun called on the President soon after this and told him that the power rested with him to make choice between the alternatives presented by the bill. Tyler replied that he had no

¹¹⁴ Calhoun to Donelson, May 23, 1845, "Correspondence," pp. 658, 659. Calhoun's effort was of course to prevent the adoption of Benton's plan as an amendment and not against the bill itself. He was very ill at about this time. Meigs's "Benton," pp. 348, 351-3. Threats of disunion, and even efforts at it, were not confined to the South. It is curious to-day to read that at this time and on account of Texas, there was once more much agitation in the North for disunion. (Rives's "United States and Mexico," Vol. I, pp. 691, 692). Over two years earlier, too, as distinguished members of Congress as John Quincy Adams, Slade, and Giddings had joined with ten others in an address which asserted that the annexation of Texas would be "identical with dissolution," expressed the opinion that the people of the free States "ought not to submit to it," and added the prediction that they would not. Niles's "Register," Vol. LXIV, pp. 173-175.

doubt as to the selection to make¹¹⁵ and regarded the amendment as merely designed to appease the discontent of one or two members, but that his only doubt arose from a feeling of delicacy as to his successor. He hesitated by an act so late in his term to bind the incoming Executive in such an important matter. There was apparently some little discussion between the two men on this point, Calhoun doubtless insisting in his strong-willed way, while Tyler held back on a scruple which he recognized ere long as being of no great weight. The result was that a Cabinet meeting was called at Tyler's direction for the next day (Sunday), and it unanimously approved the selection of the first alternative, as designed by Calhoun and the President. But the latter still had scruples and suggested that Calhoun should call on Polk.¹¹⁶

This call was accordingly made, but came to little; for Tyler goes on that the next morning (March 3) Calhoun reported that "Mr. Polk declined to express any opinion or to make any suggestion in reference to the subject."¹¹⁷ Despatches to Donelson were accordingly at once prepared by Calhoun, submitted to and approved by Tyler, and sent off on the same last day of the latter's Presidency,—as Benton said in his oratorical phrase, "in the darkness of a night, howling with the storm, and battling with the elements, as if Heaven warred upon the audacious act . . . the fatal messenger was sent off."¹¹⁸

¹¹⁵ Benton charged that deception had been practised and that it had been agreed that his alternative of negotiations was to be acted upon. I do not go into this charge, as I have already examined it and came to the conclusion that Benton's proof was weak. Meigs's "Benton," p. 353. Mr. Rives has also reached the same conclusion, "The United States and Mexico," Vol. I, p. 693.

¹¹⁶ Statement drawn up by Tyler in 1848, and "endorsed by the members of his cabinet [including Calhoun], respecting the events of his last hours," in Tyler's "Tyler," Vol. II, pp. 364, 365. Tyler wrote to Calhoun on October 7, 1845, ("Correspondence," pp. 1058-60) in a vein that seems to indicate a desire to minimize his hesitation.

¹¹⁷ Mr. Rives ("The United States and Mexico," Vol. I, p. 694) thinks "it is probable that Polk let it be tacitly understood that he would approve," and reminds us that he wrote in his message: "This election I approved." But these latter words are fully satisfied by supposing them to refer to his later action as President, and in a reference to Calhoun's call, in his "Diary," (Vol. IV, p. 43) Polk far from indicates any such thing.

¹¹⁸ "Congressional Globe," Twenty-ninth Congress, Second Session, p. 497.

The despatches enclosed the joint resolution, explained the difference between the House and Senate (or Benton) plans, stated that the President had selected the first or House plan for admission on certain specified propositions, and directed Donelson to proceed without delay to Texas and urge prompt and speedy action. A few days later (March 7) Polk wrote to Donelson privately to do nothing in the matter, but on the 10th, after the new cabinet had approved of the despatches, Buchanan sent him a despatch to proceed to carry it out.¹¹⁹

These letters of Polk and Buchanan, with that of Calhoun of March 3, reached Donelson's hands all at the same time in the end of March, when he was in New Orleans on a vacation. He at once proceeded to Texas and soon found that Anson Jones, the President, was inclined not to accept the proposal but to refer it to the Texan Congress. In this, too, Jones was supported by Houston, who "brought all his influence to bear against our proposals, and in favor of resorting to the negotiation contemplated by the Senate amendment," but at this there was no little popular excitement, and meetings in favor of immediate acceptance were soon held throughout Texas. On the very morning after his arrival, Donelson, who already had "a full knowledge of the temper of the cabinet [presented the communication he had prepared in pursuance of his instructions] as containing the *ultimatum* of President Polk in which he had the concurrence also of President Tyler."

This action of our agent ended the matter, and Calhoun replied to Donelson's friendly letter informing him of the course he had taken and its result that "the presenting it in the first instance as an ultimatum was a bold and masterly stroke." The later steps in the matter, culminating soon in the admission to our Union of the new State of Texas, have already been sufficiently gone into.¹²⁰

The Texas question was thus to some extent out of the way

¹¹⁹ Tyler's statement, *ut supra*. Smith's "Annexation of Texas," p. 354, citing letters among the Polk Papers in Chicago. Calhoun's despatch to Donelson and the joint resolution are printed in Calhoun's "Works," Vol. V, pp. 393-99.

¹²⁰ Donelson to Calhoun, April 24, 1845, "Calhoun Correspondence," pp. 1029-32. See also *ibid.*, pp. 658, 659, and references in the preceding note.

for the moment and Calhoun was soon actively engaged in a discussion with Pakenham in regard to Oregon. After the treaty of Washington had disposed of the northeastern boundary, the British had suggested that the northwestern boundary should be discussed and settled in London. This was while Webster was Secretary of State, and the proposal was favorably received by that eminent man, but it came to little. The same suggestion was also made to Upshur, but he was killed the very day after his first discussion of it with Pakenham. The latter once more wrote about the matter to Calhoun on July 22, hoping that leisure might be found to proceed with the subject, and Calhoun replied on August 22, suggesting the next day for a meeting and explaining that many necessary duties had prevented the fixing of an earlier date.

At the meeting thus appointed and at several subsequent ones, the complicated and very difficult questions at issue were discussed orally and in writing, but there is no need here to go far into the matter. Calhoun's chief presentation of our case was contained in a letter of September 3,¹²¹ in which he went at length and in a masterly way into the basis of our title. He claimed the valley of the Columbia in our own proper right under the discovery and entrance of the river by Captain Gray of Boston in 1792, by the expedition of Lewis and Clarke in 1804 and 1805 and their extensive survey of the river's course from its upper waters to the sea, and by priority of settlement. To these he added the continuity of our ownership and our greatly increased ease of getting to the region by more accessible routes, as shown by the ever swelling tide of our population flowing thither. Nor were the derivative titles we had acquired from France and Spain forgotten; but all of these, and especially the actual first discovery of the river's mouth by Heceta in 1775, were strongly brought out.

Pakenham seems from his answer to have been perhaps a

¹²¹ The letter as printed in Moore's "International Digest," Vol. I, p. 265, and also in Niles's "Register," Vol. LXIX, p. 261, is dated the 3d, but was presented at a conference held on the 2nd. Calhoun's "Works," Vol. V, pp. 427, *et seq.*, prints it as dated September 13, but this is evidently an error.

little surprised at the strength of the case presented and was evidently not at ease with a suggestion,— doubtless made by Calhoun so that our Government could, if it later saw fit, claim more or even “the whole” of Oregon,— that the United States had claims to other portions of the territory, and he asked that they should now *in limine* be defined. This was, of course on purpose, answered only in general terms that the claims were founded on discovery and exploration and were regarded as giving us rights, “unless a better can be opposed.”

With this, the discussion soon came to an end. Pakenham had begun by an offer of the 49th parallel and the Columbia River as the dividing line, the giving to us of a port or ports on the mainland or on Vancouver's Island, and the free navigation of the Columbia to both nations, thus yielding a little more than prior British proposals. This was at once declined by Calhoun, who insisted on our right to the Columbia Valley and made this contention the burden of his chief letter above summarized. The discussion at that time went no further, but in January following, in pursuance of directions from England, Pakenham suggested arbitration. This was in a few days (January 21, 1845) declined on the ground that there was hope that the pending negotiation might lead to a settlement.¹²²

Calhoun had no further connection with the subject as a portion of the Executive. He had, beyond doubt, presented our claims with signal ability,¹²³ and there is not the shadow of reason to suppose, as some have suspected, that he was intentionally neglecting Oregon, which was of special interest to the North, and devoting his efforts to the acquirement of Texas for the benefit of the South. It will have been observed that his singularly clear vision had at once enabled him not only to put our case in the most convincing language, but at the same time to select that basis of settlement which was

¹²² The various papers in the negotiation are printed in Calhoun's “Works,” Vol. V, pp. 414-457.

¹²³ Bancroft, who was in the succeeding cabinet, spoke to others with admiration of Calhoun's “ability in the despatches to the British Minister” (John S. Barbour to Calhoun, May 21, 1845, in “Calhoun Correspondence,” pp. 1036-1038), and this cannot possibly be supposed to refer to anything but the Oregon letters.

ere long acted on by the two contending nations. The Treaty of 1846 followed almost exactly the lines set by him, and in no one of the succeeding papers was his statement of our case improved upon.

His general ideas as to the true policy to be followed by us in regard to Oregon — that of waiting in quiet to allow the rush of American settlement to control it in our interest — has already appeared, but for a time in 1845 he hoped for a final settlement and thought that his "amicable but firm course" would have led thereto in the winter of 1844-45, had only Pakenham "received instructions from his government as early as he expected, at the state of discussion at which I left it."¹²⁴

Little remains to show the relations of Calhoun with the President and Cabinet, but there is doubtless foundation for the statement so often made that his strong will and absolute conviction that he was always right rendered him difficult and not pleasing to the weaker nature of Tyler. Probably his tendency to override others had grown with years, and more than likely this had been one of the causes why Tyler did not want to appoint him. It has been already said that at one time, in May, 1844, when the Texas Treaty was pending in the Senate, rumors were current of friction between the two men and that Calhoun was angry because of interference with his department and meant to resign,¹²⁵ but it is impossible to know how much or how little truth there was in these tales.

Calhoun secured an appointment as consul to Belgium for his son-in-law Clemson in June of that year,¹²⁶ but seems to

¹²⁴ Letter to his daughter, Mrs. Clemson, of May 22, 1845, "Correspondence," pp. 656, 657.

¹²⁵ Niles's "Register," Vol. LXVI, p. 192; Tyler's "Tyler," Vol. II, p. 331. The last named authority connects this story with Calhoun's alleged dejection at the loss of the Texas Treaty, and says that Tyler declared more than once to one of his sons that he would demand Calhoun's resignation, unless he quickly rallied, but it seems very unlikely that Tyler should seriously think of incurring the enmities such a step would have caused. He, moreover, wrote to Calhoun in 1847 denying "any unfriendly intentions towards you, while you were a member of my cabinet" ("Calhoun Correspondence," p. 1106; also see pp. 1058-1060); and in "The Dead of the Cabinet" (Tyler's "Tyler," Vol. II, pp. 396 *et seq.*) said that Calhoun "was prompt in his advice and energetic in his course of action," without adding a word as to the alleged dejection.

¹²⁶ "Correspondence," p. 586.

have had in general little to do with patronage. At nearly the same time he was asked by R. M. T. Hunter to secure some place for Robert Greenhow, who had long been a political friend, but replied on July 30 that it was not likely he could do so.¹²⁷ Tyler's own friends, he said, had pressing claims and it was natural that they should generally be recognized, and to this was added confidentially that the President "makes most of his appointments on his own responsibility, without consulting the appropriate Department." About a year later, too, when twitted in the Senate because of his assumed connection with the removals of Tyler's time, he replied that he had always condemned the practice, but that Tyler himself made the removals and he had told the President that "it was a new and unwarranted practice, and one to which had he [not] been a new member of the Administration, he would not consent."¹²⁸

There can, I think, be little doubt that Calhoun would have liked to remain in his position as a member of Polk's Cabinet and to have gone on with the Texas and Oregon negotiations. He had entered Tyler's council with these two objects in view and had succeeded in bringing both to a position of promise, and it was only natural that ambition should lead him to want to complete what he had so well begun, but he was not asked to stay. His friends generally expected his continuance, it seems, but he is said ¹²⁹ to have foreseen as early as September, 1844, that, in spite of the fact that it was reasonably sure that Polk had declared the intention to ask him to remain, influences which could not be resisted would be brought to bear and the new President would not be allowed to carry out his design. Calhoun is even said to have added to this forecast the prediction that he supposed the English mission would be offered him.

Polk long kept his cabinet secret, but as usual rumors ran

¹²⁷ *Ibid.*, p. 602.

¹²⁸ "Congressional Globe," Twenty-ninth Congress, First Session, p. 820, or "Works," Vol. IV, pp. 290-303. Without the "not," which I have suggested to insert, or unless the meaning is "a member at the beginning of the administration," the sentence is without meaning.

¹²⁹ Note by Crallé to the Oregon Negotiation in "Works," Vol. V, pp. 414, 415.

and Calhoun in October authorized the public denial of a newspaper story that he had said in an interview that there was an understanding with Polk that he should be continued.¹⁸⁰ As the 4th of March came near, Calhoun referred to the subject in some family letters but said he was entirely passive in the matter and not at all anxious, and should not be willing to stay, unless the organization of the cabinet were in the main satisfactory. By the latter part of February, the Charleston *Mercury* contained letters from Washington asserting that he would not be continued.

At length, apparently a week or ten days before the new term began,¹⁸¹ Polk asked an interview with Calhoun and told him that he had concluded to form an entirely new cabinet and then offered the mission to England. This was declined¹⁸² "in a mild, but decided, manner," and the incoming President assured that his visitor heard his plans without dissatisfaction. At this interview or at some other one, Calhoun urged Polk to caution in regard to Oregon, pressing his idea as to leaving time and our settlement of the region to work in our behalf, and he did the same with Buchanan, but in vain.

Finally, when the inaugural took a very ultra stand on this subject, he was highly displeased and satisfied that we could no longer secure "the whole" of Oregon, and might even through an unsuccessful war lose the entire region. This, and the later utterances as to the tariff, as well as the composition of the cabinet, made him glad, he wrote, that he had not been asked to continue, for he could not have done so and his friends would have expected a statement of his reasons for declining.¹⁸³

At the request of his successor in office, Buchanan, Calhoun remained in charge of the State Department until March 10, aiding "as kindly and liberally" as he could, thus placing him-

¹⁸⁰ Calhoun to J. A. Stuart, October 21, 1844, "Correspondence," p. 626.

¹⁸¹ "Correspondence," p. 656.

¹⁸² Pickens declined the same offer with Calhoun's approval (*ibid.*, p. 653), and Elmore also declined it (*ibid.*). There was apparently at least a thought, too, of offering it to Hamilton (*ibid.*, p. 1025). Calhoun's friends are said to have pressed him to accept the position, but he was inflexible (*ibid.*, p. 1028, and see p. 1035). It is not clear why several South Carolinians thus declined an office which might yet have had an important bearing on Texas.

¹⁸³ Calhoun to T. G. Clemson, December 13, 1844, and February 26, 1845;

self "above the suspicion of dissatisfaction or chagrin, of which I felt not the least."¹³⁴ On the following day, he started home for his beloved Fort Hill, to enter upon what was destined to be his last term on earth of relief from the heavy cares of public office. But idleness, or even what most men look upon as leisure, was not the lot nor the wish of this man, and, besides the varied duties of his plantation, he was soon actively engaged on a work he had for some time had in mind and which was not published until after his death. At this time, he wrote of it as "an enquiry into the elements of political science, preliminary to a treatise on the constitution of the U. States."¹³⁵

to Mrs. T. G. Clemson, March 11 and May 22, 1845; to F. W. Pickens, May 6, 1845; "Correspondence," pp. 633, 634, 645-48, 653, 654, 656, 657. Many stories as to the cabinet were on the wing. Calhoun himself wrote to Pickens April 1, 1845 ("South Carolina Historical and Genealogical Magazine," Vol. VII (1906), pp. 12-19) that the cabinet had been formed in Tennessee, before Polk left home, but considerably changed after his arrival in Washington; and then went on that "a highly respectable Senator told me he saw the list, in Genl. Jackson's handwriting. It consisted of Buchanan for the State Dept. one of the for the Treasury, Stevenson of Virginia for the War, Bancroft for Navy, Johnson for the Post Office and Walker Attorney General. The changes were forced on him." Hammond wrote in his diary on March 16 (what was evidently in part an error) that he was well informed that Calhoun "fully calculated on retaining office until 4 days before the inauguration," and on March 9 that "it is rumored that Calhoun was thrown overboard as the condition on which Benton and N. Y. went for Texas." Hammond papers in the Library of Congress. See also Niles's "Register," Vol. LXVIII, pp. 18, 20. The reasons for Calhoun's not being continued seem to have been of a general nature. Cave Johnson, who was close to Polk, wrote him on December 6, 1844, that an early break in their party was thought by every one to be inevitable, both upon the formation of the cabinet and the appointment of the public printer. The great object in the South, he said, was to continue Calhoun, while the North did not want either him or any member of the existing cabinet. Johnson added that he thought Calhoun would be willing to go to England. The South was also strongly opposed to continuing the "Globe," and there was already a scheme to bring Ritchie to Washington. Polk Papers, in Library of Congress. A few other letters from Johnson to Polk, of about the same period and of similar tenor, are in the same collection.

¹³⁴ Letter of March 11 to Mrs. Clemson, "Correspondence," pp. 647, 648. Polk writes in his Diary long after the event (Vol. IV, pp. 43, 44) that Calhoun desired to remain in charge a few days so as to close out certain matters he had in hand.

¹³⁵ Calhoun to Charles J. Ingersoll, April 12, 1845, and to Mrs. Clemson, May 22, 1845, *ibid.*, pp. 651, 652, 656, 657. The earliest date at which I have found mention of the plan to write on these subjects is in a letter of Hunter to Calhoun on December 19, 1843, "Correspondence," p. 908.

CHAPTER X

CALHOUN'S RETURN TO SENATORIAL LIFE

Reëlected to Senate — Southern Trade Conventions — Ambitious Railroad Plans of South Carolina — The Memphis Convention — Criticism of Calhoun growing out of it — Report on Memorial of the Convention — The Twenty-ninth Congress — Warehouse System — Pensions — Oregon — Termination of Joint Occupation — The Mexican War — Calhoun's Attitude — His Course Denounced in the South — He Opposes Conquest of Mexico — Congratulations to the New French Republic.

SOON after Calhoun's withdrawal from the Presidential contest, ardent friends were active in urging his return to public life. James Gadsden had thought his resignation from the Senate in 1842 a mistake, and wrote him on January 27, 1844, that he ought to return. And Daniel Huger, then a Senator, spoke with McDuffie and wrote to Calhoun toward the end of February of the same year in regard to the matter.

Huger, we learn, was convinced that "the circumstances of the country demand the services of Mr. Calhoun in the Senate and has made up his mind to resign if he can be assured that Mr. Calhoun will take his place." McDuffie wrote to this effect to Governor Hammond and asked whether there would be any hesitation in making the appointment, and Hammond evidently expressed his willingness. But Calhoun declined on the ground of being engaged in more useful work (his posthumous writings) and because he did not think that under the existing circumstances he could be of service in the Senate. At what date he wrote Huger of his decision, does not appear, but his conclusion was announced to Hammond on March 5, at a time when, of course, quite unknown to him, he was about

to be called to the cabinet. The very next day, his nomination as Secretary of State was made.¹

With the close of his service in the latter position, his friends began again to move. When he reached Charleston on the way home, the hospitality of the city was voted him and, though he declined a public dinner, as he did so many times in his career, a party of not less than 100 officials and others dined with him privately at the Charleston Hotel on March 15th.² In the latter part of March, Huger once more opened the subject of resigning. He wrote that he had seen Buchanan and found that the latter did not like his cabinet position and thought the Senate preferable: "should you ever concur in this opinion," he went on, "I hope you will, without hesitation, signify the same to me. We want you in the Senate."³

Calhoun answered this letter, and it is evident that by that time he was beginning to think of accepting Huger's place, for he wrote to Pickens six months later:

In acknowledging its [Huger's letter's] receipt, I made no allusion to that part, as I did not know what might occur, and thought it prudent to keep my answer under my control, until events should more fully develop themselves. It has been a question of deep solicitude and much reflection with me to determine, what answer to give. I am exceedingly averse to returning to public life; and yet when I look at the momentous character of the present juncture, the great strength of our friends in Congress, if it could be brought to act in concert, the good it may possibly secure, & the calamities it might avert, & the utter *incompetency* of our two Senators, from the causes mentioned, to take the lead & give unit[y] to the action of our friends, I feel, that there is a heavy responsibility on me, in determining the course I ought to take. . . . I do not see under all the circumstances, how I could decline the duty, if it shall be the desire of the Legislature and the State, that I shall serve them in the Sen-

¹ Gadsden to Calhoun, January 27, 1844; McDuffie to Calhoun, February 22, 1844; Calhoun to Hammond, March 5, 1844, "Correspondence," pp. 917, 932, 571. McDuffie to Hammond, February 24, 1844, Hammond Papers, in Library of Congress.

² Calhoun to Thomas G. Clemson, March 23, 1845, "Correspondence," pp. 649, 650. The Charleston "Courier," March 19, 1845.

³ "Correspondence," pp. 1054, 1055.

ate, until the country has passed through the present difficulties, which I hope might be by the next session. Write and let me know your opinion, and what answer you think I ought to make to Judge Huger.⁴ . . .

At much the same time (September 17) he wrote upon the subject to another of his leading lieutenants, Armistead Burt, in much the same vein, expressing the opinion that personally he would gain nothing by returning and at the same time would be obliged to incur enmities, but to this he added that higher considerations must govern and that if it was his duty and his friends and the State should so decide, he would not decline. And then he went on to suggest the course of action which he thought should be followed by his friends, in case the conclusion was reached that he ought to return.⁵

Both of these letters show, too, that by the early autumn of 1845 and probably several months earlier, letters from various parts of the country had been reaching Calhoun urging him to go again to the Senate. The reasons advanced were doubtless about as many as the writers, and Calhoun may have had still others. Duff Green wrote that Hannegan had said that the West would demand the improvement of their rivers and harbors, the Cumberland Road and the graduation of the prices of public lands, and that "if the South will give these to the West the West will go with the South on the tariff."⁶ Green added that this was "Benton's card," and Calhoun's letter to Pickens shows that he feared Benton would control the administration, but the Oregon question and our threatening relations with Mexico seem to have been uppermost in Calhoun's mind, with doubtless the tariff as one more element of

⁴ Calhoun to Francis W. Pickens, September 23, 1845, printed in "The South Carolina Historical and Genealogical Magazine," Vol. VII (1906), pp. 12-19.

⁵ Calhoun to Armistead Burt, September 17 1845, incorporated by Prof. Walmsley in his paper on the "Return of Calhoun to the Senate in 1845," read at the Charleston meeting of the American Historical Association in 1912, and printed in Annual Report for 1913, Vol. I, pp. 161-65. See also Calhoun, September 18, 1845, to Thomas G. Clemson, "Correspondence," pp. 671, 672.

⁶ Duff Green to Calhoun, September 24, 1845, "Correspondence," pp. 1054, 1055.

prime importance. These were then the great questions staring our public men in the face.

From this time on, Calhoun's return to the Senate was occasionally predicted in the public papers,⁷ and it became more and more evident that in one way or another he would be chosen. When the Legislature met in the end of November, Huger's resignation had been already sent in and was accepted in a resolution reciting his "able services and devotion to her [the State's] best interests during a long and honorable career." Calhoun was then unanimously elected to fill the vacancy.⁸ Some members by no means approved of his attending the Memphis Convention (soon to be noticed), but little was yet known of his or that body's actions. In a very few days, rumors and news on this point began to arrive, and the opposition to Calhoun's course, which then at once found expression,⁹ would certainly have at least reduced his vote, had it arrived before the election.

What were Calhoun's ruling motives in his conclusion thus once more to enter on the stormy seas of public life at his age? Many reasons have been assigned, and a recent writer¹⁰ has suggested that his purpose was to save the Union by bringing about a closer unity of interest and action between the South and the West. Undoubtedly, efforts to win the West had been making for years in the South, as indeed in the East, also, and perhaps some color is lent to this belief by other events of the time. The above-mentioned plan, outlined by Hannegan,—Benton's card, as Green called it—seems directly in point, and again the tour which Calhoun made through the Southwest and the policies he advocated at Memphis a cou-

⁷ The Charleston "Mercury" of October 7, 1845, quoting from the Pendleton "Messenger" an article from the New York "Sun." The "Mercury," October 11, quoting the Lynchburg "Virginian" and Fredericksburg "Recorder." The "Mercury," October 14, quoting the New Orleans "Jeffersonian Republican." Niles's "Register" (October 25, 1845), Vol. LXIX, p. 128, summing up the matter and quoting the Washington "Union."

⁸ The "Mercury," November 28, 1845.

⁹ See *infra*, pp. 369-371.

¹⁰ Prof. Walmsley, in his American Historical Association paper already referred to.

ple of months or so later, bear the same appearance and look like an acceptance of the alleged offer of the West and at the same time an effort to overplay Benton.

But to me this supposed motive, though quite likely present as an undercurrent of thought, seems too remote to be put down as the controlling one. Public men can rarely strive directly for an end not at the time under discussion, and must rather work towards it indirectly by slow accretions, as the result of other aims lying nearer to hand. While then the desire for political allies was immediate and pressing and was doubtless in Calhoun's mind, as it always is in that of every public man, yet Texas, Mexico, the tariff, Oregon, were all far more tangible causes, directly on the surface and demanding immediate action. The extant correspondence seems, too, to show that these and the positive peril of war growing out of them were the guiding impulses of Calhoun and of at least many of those who urged his return. He wrote his daughter on June 11, 1846, from Washington "I came here to preserve the peace of the country." ¹¹

The Memphis Convention of 1845 has been already mentioned, and its proceedings must now be considered, for not only did Calhoun play an important part in it, but the whole subject was of vast interest in that day. And we must first shortly examine certain other matters, which probably led up to it. Commerce and the thousand ties of interest and friendship it creates have a large hand in the making of those mystic chords which unite men and countries. The South from about 1820 felt the lack of these, and it has been seen that from then on her leading men were constantly talking of their isolation and feeling deeply how apart they were from the rest of the United States. Not many years went by before efforts were making to stem this growth. United action among themselves, a Southern Convention, trade and commerce to be confined to their supporters, all these means were advocated, at times perhaps petulantly and with passion, but often with very clear design and by leading men.

In 1837 and for several subsequent years, for example,

¹¹ "Correspondence," p. 695.

"direct trade conventions" were held, which were advocated and attended by numerous leading men in public life. That of 1837 was held at Augusta, Georgia, in October and Calhoun thought it of sufficient importance to write and urge his brother-in-law to call a meeting in Abbeville to send delegates. "You and McDuffie ought to be two of them," he added, and McDuffie at least complied with this suggestion and was chairman of the committee, which brought in the resolutions the Convention adopted in favor of "the establishment of a system of direct importations through our Southern and Southwestern cities and that we are called upon by every consideration of interest and of patriotism, to throw off the degrading shackles of our commercial dependence." Joseph Cumming of Savannah, Seaborn Jones of Columbus, and Mr. Chappell of Macon were also members of this body.¹²

Adjourned meetings were held at Augusta the next year, on April 4 and subsequent days,¹³ and again in October;¹⁴ and in April, 1839, the largest meeting of all was held in Charleston and sat four days. On this occasion North Carolina, South Carolina, Georgia, Florida, Alabama, and Tennessee were all represented. Two hundred and eight delegates appeared at the opening, and some few came later.

Many members were of high distinction. Chancellor Harper was a Vice-President, Asbury Hull of Georgia, President, and among the delegates well known in public life were Hayne, Elmore, Memminger, Wm. C. Preston, Wade Hampton, Ker Boyce and James Hamilton, to say nothing of lesser lights. McDuffie who had been a member of most or all of the prior conventions, was not present, and Hayne offered the resolutions which were not essentially different from those adopted on the other occasions. The *Mercury* writes that they embraced the important doctrines of Direct Trade advocates, recommending the extension of trade facilities to merchants, the formation of commercial connections in Europe, "the vig-

¹² Calhoun to J. E. Calhoun, September 7, 1837, "Correspondence," pp. 377, 378. "National Intelligencer," October 25 and 30, 1837. Charleston "Mercury," October 26, and "Courier," October 24, 1837.

¹³ "Mercury," April 5 and 6, 1838.

¹⁴ Charleston "Mercury," October 19, 1837.

orous pursuit of internal improvements" (without saying by what agency), the promotion of commercial education and the establishment of the *Southern Review*.¹⁵

The meeting of October, 1838, had resolved in favor of the building of railroads, and a letter of Calhoun's¹⁶ of July, 1839, after expressing gratification that his correspondent approved of the actions of the Charleston meeting of April, 1839, rapidly went off into a discussion of the new agency in transportation and of the special advantages possessed by Charleston for it and for thus securing the trade of the West. Perhaps, we may find here and in the prominence of Hayne in 1839 a hint of why the trade conventions were not directly continued,¹⁷ and not err in supposing that the energies which had called them together were diverted to the all-absorbing agencies of those lines of iron, which have bound the country together by bonds of interest and been such an enormous factor in preserving the Union.

Nor does it seem likely that these trade conventions were entirely without political significance. The large number and prominence in the various meetings of leading Southern public men, and the interest which Calhoun took in them, indicate that they were possibly designed as a nucleus for the often urged measure of a Southern Convention, and closely at the same time when the first one was called — soon after the Vermont resolutions of 1837 in regard to slavery were offered in the Senate — Calhoun wrote his brother-in-law that he thought "a Southern Convention at the earliest period that the South can be brought [to] act indispensable."¹⁸ John Quincy Adams, whose opinion, however, about anything Southern at and after this date is to be accepted with great caution,

¹⁵ *Ibid.*, April 16-19, 1838. The Convention of 1838 had laid stress on the increase of banking facilities. The banks were urged to interchange their bills, those in seaports should apply part of their capital in the purchase of foreign exchange, and Southern capital should be brought home from banks and companies abroad.

¹⁶ To Sidney Breese, July 27, 1839, "Correspondence," pp. 430, 431.

¹⁷ The writer has of course not made a very careful examination for later trade conventions, but believes they continued for some years. Nothing, at least, shows that Calhoun had further relation to later ones, if there were such.

¹⁸ To J. E. Calhoun, December 20, 1837, "Correspondence," p. 386.

or not at all, saw in them the germ of a movement intended to dissolve the Union.¹⁹

However this may be, they came to an end or were merged in the far larger interest of railroads, in relation to which Conventions had already been held in the South. Our vast continent, with its great rivers, immense distances and widespread areas of unsettled region, called aloud for some improvement in means of communication, as soon as manufactures and commerce in the modern sense began to grow. Canals had answered this demand for a time in many parts of the country, and Calhoun's home State had had a marked development of this great agency.

Some years later, when railroads in turn began by small beginnings that revolution of the world, which they have brought about, South Carolina again stood in the van. The Charleston and Hamburg was "the first Railroad Company in the world to declare for steam," as against the then usual horses, gravity, chains, or ropes and it operated "the first regular train that ever carried passengers in the United States,"²⁰ and controlled "the longest railroad that had been completed in any part of the world."²¹

All this was of course familiar knowledge to Calhoun, who was for some time closely associated with the very ambitious railroad projects of South Carolina, one leading purpose of which was beyond doubt to unite the West or at least the Southwest to the South in a political as well as a physical sense. To knit together the Union by ties of interest and consequent affection, to teach the West by closer acquaintance that the system of slavery was not the gross evil it was painted but was (as the South believed with the same absolute conviction with

¹⁹ "Memoirs," Vol. IX, pp. 420, 421. It would be strange reading to-day to have a genuine collection of the disunion tendencies of the two sections. The address of Adams and others in relation to Texas has been mentioned, and Calhoun had no doubt that the Haverhill petition, introduced by Adams in 1842, was "the first open development of abolition toward disunion" ("Correspondence," 504). Any number of like Northern doings squinting at disunion could be shown down to 1860, when the South took all the odium on its shoulders.

²⁰ Charles F. Carter's "When Railroads Were New," pp. 22, 23, 75.

²¹ Trotter's "Finances of the North American States," quoted in Theodore D. Jervy's "The Railroad the Conqueror," pp. 25, 26.

which it accepted the Bible) an absolute and overwhelming necessity for them, these were undoubtedly motives in the stupendous project soon afoot in South Carolina to bring about the erection of a continuous railroad system of some 600 miles in length and directly unite Charleston with the West. They appear in words in Calhoun's writings and naturally far more plainly in those of Hayne, the President of the system.²²

The South Carolina Canal and Railroad Company was incorporated in 1828 to build a railroad between Charleston and Hamburg, which were about 136 miles apart and the latter of which was on the Savannah River, opposite Augusta, Georgia.²³ It was not long before the suggestion was made to continue the line by some route and unite Charleston and the South with the West. The railroad within South Carolina made fair progress, despite the vast difficulties which then beset the new born agency at every step, but the larger project was a simply stupendous one for that day. To secure the necessary capital — fabulous in amount, as it seemed to that most timid of human agencies, money — was almost impossible and led to most unfortunate developments, but in addition to this several different States had to work in some sort of unison, and the jarring of local interests from one end of the line to the other hampered the design from the day it was first broached.

In the fall of 1835, a plan was set forth in the matter which came from the West and proposed to build the road from Cincinnati to Charleston, via Lexington, the Cumberland Gap, the French Broad River and Columbia, South Carolina: and this plan in great part was long adhered to. It required a branch line from some point on the Charleston and Hamburg to Columbia, and in furtherance of it a Convention was held at Knoxville, Tennessee, on July 4, 1836.

²² Calhoun's letter to Hayne of October 28, 1838, "Correspondence," pp. 411, 412, quoted *infra*. See also John Wentworth's "Congressional Reminiscences" (Fergus Historical Series, No. 24), p. 20. The intense dislike of several Western States for the free negro was probably an indication of unity of feeling with the South: see Wm. E. Dodd's "Statesmen of the Old South," pp. 135, 136. For Hayne's opinion, see Theo. D. Jervay's "Life," pp. 387, 388, 401, 402, 440, 465.

²³ Ulrich B. Phillips's "Transportation in the Eastern Cotton Belt," pp. 137, 163-66.

On this occasion there were present 380 delegates representing nine states, and here the Louisville, Cincinnati and Charleston Railroad was definitely proposed. Early in the following year Hayne was elected President and Calhoun one of the directors, and others were chosen from the different States concerned.²⁴

It is not clear at what date Calhoun's interest in the general subject of railroads had first been aroused, but it was at least as early as 1835, and in 1836, at a time when he was very restless under the struggles of political life, Duff Green wrote that "the railroad" was the absorbing question in South Carolina and that some were anxious to have Calhoun at its head, but that he declined to accept it, if Hayne was in view. Green added, too, that Calhoun, should he follow his then inclination and resign from the Senate, ought to identify himself either with this Southern plan or with the Baltimore and Ohio, the presidency of which, "I understand, is offered to him and urged upon him."²⁵

Whatever may be the degree of truth in this Calhoun was for several years very much interested in the proposed great Southern connection with the West. In 1848, when resigning from the Railroad because of disapproval of its course, he wrote Hayne that he thought "the success of a connection of the West is of the last importance to us politically and commercially," and claimed to have been among the first to suggest it. But from an early date, he had not wanted the road to be built on the course of the French Broad River, which had been proposed as early as 1828²⁶ and again in 1831,²⁷ and was generally advocated by most of those concerned.

²⁴ Jervey's "Hayne," pp. 400, 401, 418. Phillips's "Transportation in the Eastern Cotton Belt," pp. 171, 174-184. The South Carolina Legislature had incorporated a company to build the road in 1835, *ibid.*, p. 179.

²⁵ Duff Green, Pentleton, South Carolina, November 4, 1836, to R. K. Crallé, among the "Duff Green Letters," in the Library of Congress, or in "Calhoun as Seen by his Political Friends," in "Publications of Southern History Association," Vol. VII, pp. 290, 291. Green writes: "Mr. Calhoun is from all that I can learn much disposed to quit the Senate." I think there can be no doubt that it was the "presidency" of the Baltimore and Ohio, which Green says was urged upon Calhoun.

²⁶ Phillips's "Transportation," etc., p. 169.

²⁷ Jervey's "Railroad the Conqueror," p. 22.

In 1835 Calhoun favored the route by the Charleston and Hamburg (already completed), and then from Augusta to Athens by an intended road and thence to "the valley of the Tennessee or eastern termination of the Decatur Railroad and to Muscle Shoals." Memphis and the Mississippi Valley were in his mind here, and he always maintained that South Carolina should seek her connection with a region towards the southwest and far to the west of Cincinnati. Doubtless the question of political control and the knitting together of Southern communities in a firm bond of union were large elements in this conclusion on his part.²⁸

But the line he thus proposed became at least for a time well-nigh impossible, owing to local jealousies, and he sought another. Probably also the change was in part an effort on his part to meet the strongly prevailing sentiment for a line through North Carolina. At one time, in the latter part of 1836, he thought he had found such a route, after devoting no little labor to its discovery.

With Col. Gadsden and others, he had made an examination of the region concerned, covering in the search "a line of about 84 miles, to which we devoted 8 days of incessant labor,"²⁹ largely on foot. They followed "the old Cherokee trading path" up from the South Carolina side of the Keowee River and its affluent the White, then crossed the Blue Ridge by a gap and went down on the westerly side by the Tuckasegee River to its junction with the Little Tennessee. "The result was satisfactory beyond expectation," he reported, and the grades not over twenty-five or thirty feet per mile.

Calhoun at once gave these details to the public in the columns of the *Pendleton Messenger*, whence they were evidently copied far and wide. It was a striking instance of his energy that he should make an arduous trip,—far from the sort of work he had for years been used to,—at his age of fifty-four, but it is apparent that he and his friends made some

²⁸ *Ibid.*, pp. 27, 30. Jervcy's "Hayne," pp. 389, 390. Calhoun "Correspondence," pp. 349-52, 413.

²⁹ Calhoun "Correspondence," 363-365. Jervcy's "Hayne," pp. 403, 405. Calhoun's letter to the *Pendleton "Messenger"* is reprinted in Niles's "Register," Vol. LI, pp. 88, 89.

grave error in regard to the promising nature of this line. It seems that in 1837 the proposed route was demonstrated to be impracticable,³⁰ and by the end of 1836 Calhoun himself thought the elevation of the gap greater than he had estimated, though he still regarded it as available. In 1838, he apparently recognized that his examination had resulted in error.³¹

But this was not the end of his opposition to the plan by the French Broad. Calhoun was beyond doubt a man set in his ideas. What he saw or thought he saw, he saw very clearly and it was hard indeed to change him. Strong men usually have this characteristic and Calhoun still continued his opposition to the route by the French Broad. As late as 1839, he urged much the same line he had first favored, by way of Augusta, Athens, and the Tennessee River, but he seems at that time to have contemplated water navigation for a part of the way.³² This method of transportation has in time come to be almost impossible as a link in railroad traffic but the matter was far from plain then, and he is no more to be blamed for this error than thousands of others who did not foresee the growth of the mighty giant, at whose birth they were attending.

For a time in the latter part of 1836, he thought the French Broad route was about to be abandoned.³³ This was when the whole design was in great difficulty and various plans of legislative aid to save it were in view. He urged friends to attend and see what would be done at the coming meeting in Knoxville,³⁴ but matters did not go there as he wished, and shortly the South Carolina Legislature was urged to incorporate a bank as an aid to the system. It did this, moreover, and so fired was Hayne with the results expected to flow from this agency that he thought it might supersede the necessity of a United States Bank.³⁵

³⁰ Jervey's "Hayne," p. 441.

³¹ Calhoun "Correspondence," pp. 366, 414.

³² *Ibid.*, pp. 418, 419, 430. The project by the French Broad was to have used an inclined plane and stationary power to get to the summit of the Blue Ridge on the East. Phillips's "Transportation," etc., p. 177. Alex. Trotter's "Finances of the North American States," p. 223.

³³ "Calhoun Correspondence," pp. 381, 385.

³⁴ Calhoun "Correspondence," pp. 365, 366.

³⁵ Jervey's "Hayne," p. 477.

Calhoun was wrong as to the Tuckasegee route, but he fully appreciated the dangers of the design which so carried Hayne away, and expressed the fear that "the whole concern will terminate in little better than a stock jobbing affair."³⁶ All experience shows the joining together of such diverse functions to be most ill advised. As usual, it was claimed that only in this way was it possible to secure united action and the necessary legislation, and it is evident that by this time the whole enterprise was saddled with many another burden, which was the result of similar apparently necessary compromises.

The panic of 1837 aided to cripple the road, and local jealousies continued to the end to hamper it. Doubtless, too, there was more difference of opinion in its management than appears. Calhoun was not what some call a "harmonious" director, and he was from the beginning to the end most strongly opposed to the route selected. This opposition of a man of so much power was of course a very serious trouble to Hayne and the prevailing view in the management, but Calhoun cannot be blamed for this. There is no reason to doubt his sincerity, and the motives impelling him were certainly vital. Whether right or wrong, he thought the route a business mistake and was convinced that it would be so enormously expensive in comparison to the one through Georgia that, even if built, it would finally be superseded by the latter. His aim was, moreover, to unite the South and the Southwest, and he thought that their salvation was only to be found in this way.

Finally, in the end of 1838, he resigned, sending Hayne two letters, one of which was intended for the public eye and was a bald resignation on grounds which Hayne had apparently expressed a desire that his action should be rested on. The other was private and far longer, giving his real reasons and

³⁶ "Correspondence," p. 365. In an address prepared by Hayne when the railroad was about to be launched, he wrote: "Every man who can afford it should subscribe liberally; he who can spare only \$100, may subscribe for twenty shares, and he who can spare but \$5, for one share." Jervey's "Hayne," p. 403. Only \$5 was called on the shares at the time, but the balance of \$95 per share remained payable of course on call, and a sounder financial advice would not have left this important item out of consideration. Despite Mr. Jervey's defence of Hayne as to this point, it seems to have been very bad advice, reckless, and of the nature of ballooning.

referring to the regret he felt at the differences between them, after years of united action in other matters of vast difficulty. To this Hayne replied, arguing the points of difference and urging that the plan Calhoun objected to had been the only possible way to carry on the design and that either it must now be gone on with or the whole railroad fail.

These were strong reasons from one point of view, but they could hardly be expected to control the conclusion of another person. Calhoun wrote in answer that he was utterly opposed to the banking adjunct and was convinced that "to go beyond Columbia, unless with a full understanding that the other States will do their share, will but add to our embarrassment, and that if the road was finished, it would be superseded by the one through Georgia."⁸⁷

The system kept afloat for a time yet, but the meeting of September, 1839, showed the railroad to be in a terrible financial condition. It owed over two millions of dollars, of which nearly half had to be met in three months. Other imperative demands were also very near at hand, and the resources available for all these purposes were quite insufficient, while the railroad did not dare to think of calling for further installments on the stock, which would never have been met.⁸⁸ Hayne, too, who was able to be present during only part of this meeting, died in a few days, thus ending a brilliant career, tinged with tragedy, and leaving the whole design without a leader.

Calhoun wanted Colonel Gadsden elected as the head of both the railroad and the bank,⁸⁹ and here again he has been criti-

⁸⁷ Calhoun "Correspondence," pp. 411-416. Hayne's reply, November 1, to Calhoun's first letter is to be found in Jervy's "Hayne," pp. 473-479. Mr. Jervy thinks that Calhoun's letter was very insincere; but Calhoun was trying to soften what could not be otherwise than a disagreeable step, both to himself and Hayne, and I cannot see that the terms of regret were false. Nor had Calhoun, or any one opposed to him, agreed to be bound by the result of a comparative survey of the French Broad and Tuckasegee routes. His expression on that subject at an earlier date was merely private, loose, and not the sort of statement that a man will rigidly adhere to, especially when the other side had not agreed to do so. At the time of making it, too, the growth of public sentiment had forced him to abandon temporarily his real preference for the Georgia route, but in 1838 he again hoped to see that line taken up.

⁸⁸ Jervy's "Hayne," p. 509.

⁸⁹ "Correspondence," p. 431.

cised as inconsistent, for he had been opposed to the union of power over the currency and transportation. But his objection had not reference to the control of both corporations by one individual, but rather "to the union of these two powers in the same company," and this was already the case.⁴⁰ Besides this, the growth of circumstances often forces the most unbending to act, as a choice of evils, in some way he does not approve. Gadsden was not chosen, and in a stormy meeting, Vardry McBee was elected Hayne's successor.

Finally, about a year later, Tennessee withdrew and all idea of building beyond Columbia was abandoned. Thus, the proposed road became at once impossible, and Calhoun's already quoted belief of the ill-advisedness of the plan to build beyond that point, "unless with a full understanding that the other States will do their share" seemed fully justified. He wrote⁴¹ of the facts to his son and added, perhaps in terms of bitter criticism such as men so often indulge in:

Thus ends the humbug. . . . If I could triumph, when state and friends have suffered, what a triumph I would have.

From this blow, the great system of Hayne never recovered, and not until after the Civil War was a railroad built by the French Broad. It is now a most busy line of transportation, but this is no proof that it was practicable in 1835. The engineering difficulties were immensely greater than by the Georgia route, and the regions to be connected with do not seem to have been nearly so desirable for a Southern community.

The line that Calhoun had for a time advocated by the Tuckasegee has never been built, and the region is still inhabited by the wild creatures of forest and stream. The Georgia line, with which he had most of the time wanted to connect, was built in 1845, but a break remained between Augusta in Georgia and Hamburg in South Carolina on the opposite side of the Savannah River, where Augusta would not allow a bridge to be built. Finally, but only in 1852 and after all sorts of difficulties and dickerings, this break was overcome.

⁴⁰ *Ibid.*, p. 415.

⁴¹ To Andrew Pickens Calhoun, September 25, 1840, "Correspondence,"

Other important Georgia railroads, connecting with those of South Carolina, were also in operation at about the same date,⁴² giving the widest connections with the Mississippi Valley.

Meanwhile, Calhoun's interest in the general railroad design did not end. In 1841, he hoped to induce a Mr. McQueen, the agent of an intended line of English packets, to take part in the project of connecting Charleston with the valley of the Mississippi and then re-establishing direct trade between England and Charleston,⁴³ but I think this aim to enlist English capital came to naught. He was also the power⁴⁴ by which Gadsden was later placed at the head of the Charleston and Hamburg Railroad, after the entire abandonment of the Columbia-Cincinnati line.

Calhoun forever thought that the railroad plans of South Carolina, as designed by Hayne and the latter's friends, had been merely a wild dream. In 1840, he summed up his opinion by saying, at a time when several of our States had defaulted, "South Carolina is also in debt. She has spent her thousands in wasteful extravagance on one of the most visionary schemes that ever entered into the head of a thinking man,"⁴⁵ and then went on that she would pay her debts without inquiring whether the money had been spent wisely or foolishly.

The complete failure and long abandonment of the Hayne plan certainly seemed to justify Calhoun's views, and such has been the accepted opinion since. A recent writer⁴⁶ has, however, earnestly contended that this verdict is wrong and that Hayne's plan was sound, but it was surely visionary and far too vast for that day, and its absolute dependence on the co-operation of other jealous States doomed it to ruin, while the joining of banking functions to those belonging to a railroad was certainly a most dangerous course. In its financial dealings, it took little or no thought of the morrow,—of the

⁴² Jervey's "Hayne," pp. 531, 532. Jervey's "Railroad the Conqueror," pp. 31, 32. Phillips's "Transportation," etc., pp. 209, 216, 241-43, 252.

⁴³ "Correspondence," pp. 494, 495.

⁴⁴ Jervey's "Railroad the Conqueror," p. 31.

⁴⁵ Speech of February 5, 1840, in the Senate, "Works," Vol. III, p. 438.

⁴⁶ Mr. Theodore D. Jervey, in his "Life of Hayne," *c. g.*, pp. 530 *et seq.*

dreadful day of payment,—and this and the refusal of co-operation by one State suddenly tumbled the whole plan over into bankruptcy and hopeless failure.⁴⁷

The Memphis Convention of 1845 was started in great part as a Railroad Convention,⁴⁸ but was ere long turned largely to the advocacy of internal improvements of certain sorts by the federal government. And this phase appealed not only to the very uninspiring hunger of so many to dip deep into the Federal treasury, but also fascinated the imagination by its promise of vast benefit in opening lines of commerce. It seems to have been an expression of a long-felt policy in the West of that day, and had probably back of it the support of many of their leading men.⁴⁹

There were two meetings, the first in July of 1845, but it was thinly attended and perhaps a fiasco. Some enterprising spirits, however, were not to be deterred and continued to agitate the matter, at least in Memphis and Nashville. They wrote letters, evidently to many parts of the country, urging that full delegations be sent to a proposed second Convention to be held in Memphis on November 12.

A meeting was accordingly called in Charleston for October 4 to take into consideration "the late proceedings at Memphis and Nashville on the project of connecting those sections of the country by railroads with Charleston." Gadsden, then president of the South Carolina R. R., took a leading part at this meeting, referring in his speech to the plan of a railroad from Nashville to Chattanooga and the revival of the

⁴⁷ I do not go into Mr. Jervey's contention that Hayne had in view the design of settling the slavery question by bringing about a closer union between the South and the free West. At the very same time, Hayne was urging Calhoun to act against the agitation of abolition, and their views *seemed* to agree on this branch of the subject. Nor do I think there is much evidence that Hayne had any real hope of ever ending the question. In my opinion, it is absolutely impossible to suppose that that result could have been peacefully brought about, after such an alignment of the sections as existed by about 1831.

⁴⁸ The circular calling it stated its object to be the "Development of the Resources of the Western and Southwestern States." Calhoun's speech on taking the chair, "Works," Vol. VI, p. 273.

⁴⁹ See, as to its originators, Prof. Wm. E. Dodd's "Statesmen of the Old South," pp. 148, 149. A history of it and the other similar conventions in the West would be valuable.

design, long entertained in South Carolina, to connect Charleston with the Mississippi at Memphis. Twenty-six delegates to the proposed Convention were appointed from Charleston, each District of the State was asked to meet and make like appointments and the Governor was requested to appoint two delegates at large. He at once named Calhoun and F. H. Elmore.⁵⁰

But there seems to have been little general interest in the subject in South Carolina, and of the twenty-six members named in Charleston only some six or eight were apparently willing to attend.⁵¹ Elmore, too, declined and the Governor appointed Memminger in his place,⁵² and Calhoun appears to have been quite lukewarm and at one time not to have intended to be present. He was with his wife and son at their plantation in Alabama during much of October, and it must have been to that place that Gadsden wrote him on the 9th,—highly impatient at the backing out of nearly every one,—to leave the burden on his already overlaid shoulders.

Calhoun's scruples in regard to not being invited and against any appearance of seeming to seek "high elevation" were lightly brushed aside by Gadsden, who reminded him that he had been formally appointed by the Governor on the request of a public meeting, and added: "Your name is not at present before the American people." Gadsden wrote:

We are on the eve of realizing all the fond hopes and expectations of 1836 and this is not the time for our strong and leading man to falter. . . . I have very nearly sacrificed myself in the Cause. . . . Now is the time to meet our Western friends at Memphis—to set the ball in motion which must bring the Valley to the South. . . . I shall expect to see you at Memphis.

Perhaps this letter was the force that finally induced Calhoun to attend. Starting out from Alabama, he had, on his way, a species of triumphal progress such as several of our public men had enjoyed but he had repeatedly refused to seek. On November 6, he was in Mobile, was met by a delegation of lead-

⁵⁰ The Charleston "Mercury," October 6, 1845.

⁵¹ Gadsden's letter to Calhoun, referred to immediately below.

⁵² The "Mercury," October 25.

ing citizens from New Orleans and taken the next day as a guest by steamer to their city. Here, he spent two days and then started up the river for Memphis. And after the Convention, still as a public guest, he was taken back to New Orleans by steamboat, stopping on the way at Vicksburg and Natchez.

At Vicksburg he was publicly welcomed by Jefferson Davis, and from New Orleans started home by way of Montgomery, Alabama, on November 21.⁵³ His reception had been most flattering, and the meed of public praise was evidently in a high degree pleasing to him. He wrote his son-in-law "I had a very interesting tour in the West. I was received everywhere in a manner sufficient to gratify the feelings of any, the most illustrious for talents and public services. All parties everywhere united without distinction, in a demonstration of respect, not exceeded by that shown to Genl. Jackson in passing through the same places, and much greater than that extended to any other citizen. I everywhere was received as the guest of the place, and passed without expense or charge through every town to and from Memphis."⁵⁴

The Memphis Convention met on November 12th, and was a very large body for the time and place. No less than five hundred and eighty-three representatives attended, coming from 17 States,⁵⁵ which were in a general sense the Southern ones with the addition of those bordering on the Mississippi and Ohio Rivers. Calhoun was called to the chair and presided until very near the close, when he was obliged to leave and "amid repeated and deafening cheers" expressed his acknowledgments for the thanks unanimously tendered him. His address⁵⁶ was of course carefully guarded,—for he was treading on very dangerous ground for a man with his general rec-

⁵³ Charleston "Mercury," November 13, 14, 17, 21 and 27, and December 1, 1845.

⁵⁴ "Correspondence," p. 674.

⁵⁵ Pennsylvania, Virginia, North and South Carolina, Florida, Alabama, Louisiana, Texas, Mississippi, Tennessee, Arkansas, Missouri, Kentucky, Illinois, Indiana, Ohio, and Iowa. Texas was of course hardly yet in the Union. See the Memorial of the Convention, printed in Calhoun's "Works," Vol. V, pp. 293-311. For accounts of the proceedings, see the "Mercury," November 21, 24, 27, 28 and 29, 1845.

⁵⁶ "Works," Vol. VI, pp. 273-84.

ord,— and was equally of course reported with inaccuracies and came soon to be much criticised for looseness of constitutional construction. In it was expressed his much-bruited opinion that the Mississippi River was an “inland sea” and “on the same footing with the Gulf and Atlantic coasts, the Chesapeake and Delaware Bays and the Lakes, in reference to the superintendence of the General Government over them.”

We shall see later that in a more careful opinion, the words of limitation which he added to the expression of his beliefs, were elaborated, and even in his Address to the Convention itself, though this was doubtless far from pleasing to many of his hearers, he expressly denied all power of direct federal aid to railroads, considering the General Government confined as to them to such acts as the grant of alternate sections in public lands through which the railroads might pass or the reduction of the duty on rails imported for their use.

There was certainly nothing very startling in this, even from Calhoun, and the subjects mentioned are the chief ones on which he expressed opinions. He went also at some length into the geographical questions concerned in regard to railroads, which he evidently still thought, at the time of his address, were to be a chief subject of the Convention's deliberations.

But not only was he at first inaccurately reported, and in these reports evidently represented as urging all sorts of extravagant doctrine, but the Convention itself went far afield in the resolutions it adopted. Some of his friends were amazed at his having associated himself with such a body, and even the faithful *Mercury* referred, on October 25, to the known plan of the Convention to urge certain improvements by the Federal government and then said “[upon this] we look with little favor and no little uneasiness.”

Had the reports of the proceedings come two or three days earlier to Columbia, where the Legislature was in session and in the act of electing Calhoun to the Senate in place of Huger, soon after the Convention sat, a more serious attack might well have been made on him. As it was, after his election on November 26, resolutions⁵⁷ were offered on the 27th and 28th

⁵⁷ “*Mercury*,” of November 28, 29, and December 1, 1845. “An occa-

by different members in the house, one of them asserting that South Carolina still adhered to her principles as to internal improvements, that the federal government had "no right to make any appropriation in aid of railroads, public highways, canals, cleaning out rivers, or any other improvements within the limits of any State or States [and] that in the proceedings of the Memphis Convention we regret to see much that is in violation of the foregoing principles."

There was "considerable discussion" of the resolutions, we are told, with distinct references made in the debate to Calhoun's alleged departure from principle, while his defenders urged that they should wait for accurate information of what he had really said. Finally, the resolutions were indefinitely postponed by a vote of 77 to 35. The *Mercury*⁵⁸ had by this time printed the resolutions of the Convention and editorially expressed its disapproval of them, and its Columbia correspondent wrote⁵⁹ that Calhoun's Convention "speech had startled not a few of his friends here. Is it possible that the report we have of it is correct and that Mr. Calhoun is going with the men of the West in their stupendous schemes of internal improvement?"

A day or two later, two or three senators in turn had prepared like resolutions,⁶⁰ which would have been supported by quite a vote, it was said, had not the morning's mail brought the *Mercury* of November 28 with a quite different and much milder report of Calhoun's address than had been contained in an earlier issue of the *Courier*. The resolutions were then dropped, but they had probably been threatening, and an occasional correspondent of the *Mercury* at Columbia wrote in the issue of December 5, when the matter was just at an end, "It is indeed lamentable for more reasons than one that Mr. Calhoun had anything to do with the Memphis Convention. For his own good, not more than the peace of his friends,

sional correspondent" writes in the issue of December 1 that the vote was small and a few blanks cast, but that otherwise there was not the slightest manifestation of opposition.

⁵⁸ Issues of November 29 and December 2.

⁵⁹ *Ibid.*, December 1.

⁶⁰ *Ibid.*, December 3.

it was important he should have kept away." And to this was added the next day that it was the opinion of many in Columbia that the best thing he could do, as soon as he took his seat in the Senate, was to notify everybody that he was not a candidate for the Presidency. There was a story current later that he was only elected after making pledges to renounce all pretensions to the Presidency, but he wrote his brother-in-law that there was no truth in the story, and that such an idea had not even been suggested by anyone except Pickens.⁶¹

In the Memphis Convention, very many propositions were offered aiming to secure federal aid for one scheme or another. These were later referred to a special committee, which reported favorably on nineteen resolutions. Of these, many to-day go without saying, but the public men of that time looked upon constitutional questions quite differently and not a few held back from some of these. Many of the proposals were, however, mainly aimed to secure for the West, then still so new, its just proportion of the federal benefits.

Among those recommended, were proposals calling for a ship canal from the Great Lakes to the Mississippi, the keeping open of the Mississippi and Ohio Rivers and their principal tributaries, the deepening of the mouth of the Mississippi, "cost what it may," so as to accommodate the largest vessels, the building of steam-vessels and of an armory and foundry in the West, and the maintenance of a dry-dock and ship-yard on the Gulf. A military road was also urged, to be built from opposite Memphis through the swamps to the highlands in Arkansas in the direction of frontier military posts. Levees along the Mississippi were recommended on the plea that millions of acres might thus be reclaimed, and the prompt extension, by the Government, of the magnetic telegraph into and through the great valley was called for. Nor were railroads forgotten, but they were urged in the main on the States, and Congress only asked to make land grants of alternate sections in cases where the roads passed through the public domain.⁶²

⁶¹ Calhoun, January 16, 1846, to J. E. Calhoun, "Correspondence," pp. 675-677.

⁶² Calhoun's "Works," Vol. V, pp. 293-311. "Congressional Globe," Twenty-ninth Congress, First Session, p. 297.

These plans certainly made up a most ambitious programme.

A committee of five, with Col. Gadsden at its head, was appointed to present a memorial from the Convention to Congress. Gadsden⁶³ seems to have acted for the committee, and he cited the resolutions of the convention and then added shortly that "without speculating on the ceded or reserved rights of the States," they felt confident that no power was claimed which could not be justified "under the commercial jurisdiction of the General Government, and under the obligations to provide for the general defense, and as a proprietor of the public domain." This memorial was presented in the Senate by Calhoun on February 3, 1846, and he spoke of it as drawn with great ability, though there were some things in it he did not think authorized by the constitution. It was at once referred on his motion to a committee of five, of which he was the chairman.

From this committee, Calhoun presented on June 26 a report⁶⁴ with a bill⁶⁵ to authorize a board of engineers to make a survey of the Mississippi with a view to the improvement of its navigation. The Report was a famous paper in its day and went over the whole ground with great care and in the style of thought usual to its author. Beginning with elaborate figures to show the vast and growing importance of the commerce concerned, its neglect theretofore by the federal Government and the consequent heavy losses to shipping, the constitutional question was next approached.

Here the report dismissed at once the idea of many that Congress had the powers claimed under what is known as "the general welfare" clause. But the great kernel of the matter,

⁶³ Gadsden was evidently a capable engineer. Referring in his report to the difficulty of managing alluvial rivers, he wrote that the only established fact was that, where the banks were leveed and overflows thus prevented, "the spring rises are scarcely perceptible, and the surplus waters are discharged by *deepening the bed*." Scouring was evidently known to him.

⁶⁴ "Congressional Globe," Twenty-ninth Congress, First Session, p. 1028. "Works," Vol. V, pp. 246-293.

⁶⁵ The bill was not reached, but Calhoun later moved the essential parts of it as an amendment to a bill for the improvement of the Ohio, Mississippi, and Arkansas Rivers, and in this shape it passed the Senate by 32 to 12, but was lost in the House, "Congressional Globe," Twenty-ninth Congress, First Session, pp. 1084, 1090.

the power to improve the Mississippi, was found in the clause conferring authority "to regulate commerce with foreign nations and among the several States." This conclusion was elaborated with much care and the power was decided to exist in all cases where three or more States were concerned, but not where the river in question passed through only one or between two States. Our earliest history and the legislative customs and modes of thought of the pre-constitutional period, as well as several clauses of the constitution, were all factors leading to his conclusion, but the curious reader must be left to the pages of the printed Report.

The canal from the upper Mississippi to the Great Lakes, urged in the memorial, was dismissed as unauthorized, and such was likewise the conclusion as to harbors for commerce as distinguished from those for shelter or for naval stations. To the Memorial's conclusion as to land-grants to railroads was added the idea thrown out in Calhoun's speech in the Convention that they could properly be aided by the remission of duties on rails, and this was shown to be often a large item in the cost of construction.

Some will to-day think the refinements of the Report hardly short of absurd, but Calhoun wrote for other ears than those of our modern empire, and Vetoes famous in their day as well as orations of stirring eloquence could be cited where other authors as well as he have fairly wrestled with the terms of the Constitution. In its day, the report was found by the *Charleston Mercury*⁶⁶ to be unanswerable, and that paper was of opinion that it might well serve to mark the true distinction in the matter. The republican party, it added, had never received the doctrine of the improvement of the Mississippi, but the Report demonstrates it. And Rhett wrote in a private letter,⁶⁷ at the same time when expressing the opinion that some of the doctrines of the Report were "very *wide*, if not *wild*," the words "I think, however, after long reflection, that his policy is sustainable on one ground,—and on one ground

⁶⁶ Issue of July 9, 1846, and later numbers.

⁶⁷ To Hammond, endorsed as of "1848," in Hammond Papers, in Library of Congress.

only,—his exposition of the power to ‘regulate commerce among the several States!’”

Calhoun's Report on the Memorial of the Memphis Convention⁶⁸ was presented to the Senate at the first session of the Twenty-ninth Congress, and we must now turn our attention to other matters arising at that time. The session began on December 1, 1845, but Calhoun did not take his seat until the 22nd. He was entering once more on the stormy ocean of public affairs, and it was destined that his few remaining years in the Senate were to witness the most trying period he had ever known. Unceasing contests fraught with dire peril and in the end ruin to his home region were to be his lot until the end.

He was now a man past sixty-three and of much impaired health. Frequent colds were his lot, and they seemed to get a grasp on him which was hard to loosen. His voice was weak and often gave out. Even at the Memphis Convention, at a time when his good health was remarked upon, he grew so hoarse during his short address that he was compelled to close his remarks,⁶⁹ and he was in the same year (1845) excused by the Senate from serving as Chairman of the Committee on Finance on the ground that his voice was not strong enough to endure the strain incident to constant explanation on the floor.⁷⁰ He had not then and never did fully recover from the illness he had in February of 1845, but we shall find that he was still at times capable of hard work.

Before taking up the matters of overruling importance with which he was chiefly associated during the Twenty-ninth Congress (1845-47), it will be best to examine certain other contentions he made at its two sessions. In July, 1846, he addressed the Senate at some length on the pending ware-house

⁶⁸ Calhoun was asked in 1847 to attend the Chicago Convention of July 4, and two years later was asked to the one to meet at Memphis in favor of a railroad from the Valley of the Mississippi to the Pacific; but declined in both instances. He wrote that the last plan was of vast importance but preferred to wait and see whether the South was to have any interest in the Pacific territories, "Correspondence," p. 732, and the Charleston "Mercury," of June 4, 1849.

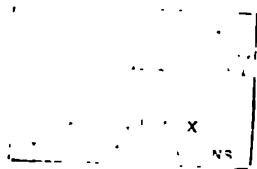
⁶⁹ The Charleston "Mercury" of November 21 and 27, 1845.

⁷⁰ See *ante*, Vol. II, p. 261.



FULL-LENGTH PORTRAIT OF JOHN C. CALHOUN

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bill and urged its passage. It was most important, he contended, to the commercial and navigating interests of the country for the reason, among others, that the payment of duties in cash operated most unequally. After a "very interesting debate," which has, however, not been preserved, the bill was recommitted upon Webster's motion and against Calhoun's wish by a narrow vote, but was later passed by 31 to 27, Calhoun voting Aye. It became a law.⁷¹

At the second session, when the Mexican War was already resulting in moving appeals on behalf of the dead and wounded, Calhoun opposed that trend toward lavish aid in which our country has since gone so infinitely far. On a bill to give a pension for life to the widow of a highly meritorious officer, who had died in the service but not in battle, he opposed it, saying that it was entirely novel as to the army, though a like practice had grown up in the navy under a law passed in the hurry of a session's ending. "There was not a people on earth," he said, "that extend their pension-list as far as the United States."⁷²

Later in the session, when a bill "reviving certain naval pensions" was pending, he asked for some explanation and was told that the measure would only apply to some five or six cases. But he was not satisfied and spoke of the need of caution in passing laws to enlarge the pension system. "Great additions to it had originated in small beginnings like this. If he understood the matter, these pensions were payable out of a fund raised from prize money, for the benefit of the widows of officers of the navy. Originally, it was designed that this should be confined to the widows of officers killed in battle. Then it was extended to the widows of officers generally. It also had been extended to the military service; and now, if any officer died, whether in battle or not, his family was provided for." The bill was shortly passed, but the vote is not by Ayes and Noes, and there is no direct evi-

⁷¹ "Congressional Globe," Twenty-ninth Congress, First Session, pp. 1076, 1097, 1199.

⁷² "Congressional Globe," Twenty-ninth Congress, Second Session, p. 112.

dence whether or not Calhoun voted against the measure.⁷³

He always followed the proceedings carefully and in one instance opposed the reception by the Senate of a petition from a British subject, asking that the jurisdiction of the United States Supreme Court be extended to include controversies as well as cases or suits at law. This was a move in the aim to secure payment to foreigners on defaulted American public bonds and had the support of Webster, but Calhoun opposed it. He said that the proper course in regard to the affairs of foreigners was to have them conducted by the Executive Department. The Briton should petition his own Government, and then the request might be forwarded through our minister there or to their minister in this country. Nothing further was done in the matter.⁷⁴

In another case, when Vice-President Dallas, expecting to be absent from the Senate, had written a letter to Atchison and asked him to preside, Crittenden objected that the Vice-President had no power to make such an appointment and maintained that the Senate must itself make the choice. Calhoun was — as was not often the case — in doubt, and said the question had never arisen in his time, as he was always present. He evidently wanted to avoid the issue and suggested the immediate election of a President *pro tempore*. This was done, and Atchison chosen, having 47 of the 48 votes cast.⁷⁵

Calhoun supported in 1847 the bill for the relief of those suffering want in Ireland and Scotland, and when some thought this strange doctrine for one holding his general views, he explained that his reason was that the matter was a foreign one and that the powers of the federal government in regard to foreign and domestic concerns were quite different. He had voted, he said, in 1812, for the relief of the people of Caraccas, and he might have told objectors that he had explained and acted on this constitutional distinction many times in his career.⁷⁶

⁷³ "Congressional Globe," Twenty-ninth Congress, Second Session, pp. 422, 423.

⁷⁴ "Congressional Globe," Twenty-ninth Congress, Second Session, pp.

434, 435.

⁷⁵ *Ibid.*, pp. 161-164.

⁷⁶ *Ibid.*, pp. 533-535.

The Oregon question had by this time assumed great prominence, and even at the opening of the session Polk's message had shown that the issue was in a very acute condition. To the announcement once more of his own high-flown notions of the validity of our title to the whole region, the President had added an account of the very curt rejection of his offer of compromise on the basis of the parallel of 49°, which he said had only been offered out of deference to what his predecessors had done. And then he told Congress that "all efforts at compromise having failed," it was for them to determine what measures to adopt, but that he was in favor of at once giving notice of termination of the agreement for joint occupancy and of building forts on the way to Oregon to protect our intending settlers from the Indians and of granting them lands, as soon as the joint occupation was terminated.

Affairs had looked very warlike even before this, and it was not long ere the debates were full of the refrain of "inevitable war." Allen of Ohio arrogated to himself the lead in the agitation of the matter and early in the session offered a resolution aiming at a new formulation of the Monroe Doctrine. This read "that any effort of the Powers of Europe to intermeddle in the social organization or political arrangements of the Independent nations of America . . . would be dangerous to the liberties of the people of America, and therefore would incur, as by the right of self-preservation it would justify, the prompt resistance of the United States." It was doubtless designed in part to whip on the feeling as to Oregon, and contained a very palpable bait to catch Southern support in its sharp reference to the English efforts to re-cast the social organization of Texas by the abolition of slavery.

But Calhoun was not to be caught so easily, and he opposed the resolution in several short speeches. He referred to the origin of the Monroe Doctrine, and said he had approved it as a member of the then cabinet; but it had had reference to a specific case (the Holy Alliance), and he objected to any effort to formulate general declarations. We should meet particular cases, as they arise, and this was all that had been done in 1823. He knew that a broader declaration had been made

by the Secretary of State, but he thought this had not come before the Cabinet. Leave to introduce was granted by 26 to 21, Calhoun among the Noes, but there the matter seems to have rested.⁷⁷

Measures for augmenting the means of national defense were soon offered, and others looking to the termination of joint occupation. These latter were of various degrees of fire, and one resolution, of which Hannegan of Indiana was the father, asserted our absolute title to the whole region and that the Federal Government had no power to compromise or barter away the soil. There was indeed inevitable war. Calhoun spoke against this proposal and in favor of a peaceable settlement, but added that he was glad the resolution had been offered, as it would serve to draw a broad line between the advocates of war and of peace.

While these subjects were under discussion in the Senate, the House passed on February 10 resolutions which contained a direction⁷⁸ to the President to terminate the joint occupation but added that it was not their purpose to interfere with negotiations. This and some other resolutions of varying degrees of heat came up as special orders in the Senate on February 25, and a long discussion ensued, which came to be dubbed by Ritchie in the official organ as the "Monster Debate." This editor, as well as others, was pressing urgently for a decision and was in favor of notice, without regard to compromise, in some form like the House Resolution already passed. But the Senate and Calhoun opposed notice in that form and wanted it only as a step towards a settlement, and they consequently

⁷⁷ "Congressional Globe," Twenty-ninth Congress First Session, pp. 197, 198, 239, 240, 242-246, 248. Calhoun said that he had no doubt John Quincy Adams was entitled to the paternity of the doctrine. - See also, on the origin and scope of the Monroe Doctrine, Calhoun's speech on the proposed occupation of Yucatan, in "Works," Vol. IV, pp. 454-479. He seems here to limit it very closely, but perhaps what he says at p. 471 and his anxiety by that date in his career to avoid wars, as being dangerous to our Federal system, were the motives influencing him.

⁷⁸ Now, when the fiery passions of that day have cooled off, it is not always easy to understand the reasons why the men of the time were so earnest in regard to the form the resolution should assume. The difference often seems very slight, but one point of importance was whether to direct the President or only to authorize him to give the notice.

came in for a liberal share of "Father" Ritchie's attacks.⁷⁹

During the long debate, Calhoun spoke shortly a number of times. Early in the session, he opposed the notice, because (so he said⁸⁰) he could only support it if a compromise was in view, while the annual message had plainly shown that the President did not hope for one. Such remained, moreover, for weeks the probable outcome, but as time wore on, an amicable settlement loomed up more and more plainly as highly probable, and in the end Calhoun both supported and voted for the mild form of notice that was passed.⁸¹

His chief and only long speech⁸² was made on March 16, by which time he was in favor of such a notice. In this, he spoke of his past advocacy of "a wise and masterly inactivity," contending—despite the ridicule which it was then the fashion to heap on that expression—that he had been right and that our power in the region had already been greatly augmented by the inrush of settlers. He answered, too, the charge that he was sacrificing Oregon for Texas and once more insisted that every day of delay in the former worked

⁷⁹ The (Washington) "Union," March 23, 24, 25, and April 2, 10 and 23, 1846, and *passim*. Ambler's "Ritchie," p. 261.

⁸⁰ Some men always attribute the lowest motives to the actions of their contemporaries, and Bancroft ("Life and Letters by M. A. De Wolfe Howe," pp. 282, 283) thought that Calhoun was in reality opposed to the notice, but later found himself so much alone in this that he changed his ground and invented the distinction that his earlier opposition had been because a compromise was not in prospect. Calhoun's letters show certainly that early in the contest he was opposed to the notice (to J. E. Calhoun, December 14, and to T. G. Clemson, December 26, 1845. "Correspondence," pp. 674, 675; also see "The Diary of James K. Polk," Vol. I, pp. 131, 154, 159-162), and thought war highly likely in case of its passage (to Francis W. Pickens, August 21 and September 23, 1845, "South Carolina Historical and Genealogical Magazine," Vol. VII (1906), pp. 12 *et seq.*, and to A. P. Calhoun, January 16, 1846, "Correspondence," p. 677). I find, however, nothing to show that Calhoun was insincere in the matter, and the distinction which he said led to his different courses of action was certainly of the first grade of importance.

⁸¹ "Congressional Globe," Twenty-ninth Congress, First Session, pp. 162, 425, 426, 435, 436, 459, 578, 680, 683, 691, 716, 717. By the final resolution the President was "authorized in his discretion" to terminate the joint occupation.

⁸² *Ibid.*, pp. 502-506, or (fuller) *ibid.*, "Appendix," pp. 471-476, or "Works," Vol. IV, pp. 258-290. He wrote to his daughter on March 23 that many thought this the best speech he had ever delivered. "Such was the anxiety to hear me, that the crowd began to collect at 8 o'clock, and long before the hour the galleries and the passages were blocked up. Thousands had to retire for want of room."

powerfully for us, while in Texas it had been essential to act at once or England would have quickly established her control,—as she was indeed in the act of doing at the hour of our annexation. “In the case of Texas, time was against us,—in that of Oregon, time was with us; and hence the difference in my course of policy in reference to them.”

Now, however, the time had come when a settlement of the Oregon question was urgent, in order to prevent a collision, and to lead also to peace with Mexico. That distracted country could not, he said, alone wage war with us and was only waiting on the chance of a rupture between Great Britain and us as to Oregon. In this connection, he expressed himself as strongly against all but necessary wars, and hoped for a perpetual peace with Great Britain by breaking down the commercial barriers which separated the two countries and the establishment of free trade between them. Such a result, he said, might even force other countries to follow in the same course.

It must be noted, too, that Calhoun had, beyond all peradventure, at some time studied with care the tangled skein of Oregon history, and knew the truth in regard to our claims and those of the English. “Fifty-four, forty,” must have been mere nonsense to him. Without such study he could not possibly have written his convincing letter to Pakenham on our title, and in the present speech he stated the crushing fact, which our jingoes then slurred, as they still do to-day, that “there are none of our citizens, if I am correctly informed, settled north of 49°.” No doubt he knew well at the same time that the British had long had flourishing settlements above that parallel.

The notice was duly given and perhaps had its part in leading the British to re-open the question on the basis of a settlement in the main on the line of 49°, but with these steps Calhoun had no further share, however much his former actions may have contributed to them. When finally, early in June, the President adopted the plan of consulting the Senate in advance on this British offer, which had by that time come to hand, Calhoun of course voted in favor of advising its

acceptance and shortly later in favor of the treaty which was at once drawn on that basis.⁸³ With this, the Oregon question was settled.

It is perfectly apparent that Calhoun's object throughout the whole session was to avoid war, a result which he evidently feared after Polk's blatant outburst in the inaugural. The public looked largely to him to preserve peace, and it was partly with this view that he had been urged to return to the Senate.⁸⁴ He was, moreover, in frequent conference with Polk, advising a settlement on the basis of the 49th degree.⁸⁵ It will very soon be shown, too, that during the session he declined to take up a phase of the threatening war with Mexico for the very reason that such action on his part would interfere with the efforts he was making for peace with England.

Benton, who was very far from an admirer of Calhoun, writes⁸⁶ with no little admiration of the latter's course in the Oregon negotiation under Tyler. At the time, Calhoun's party was fairly bursting for "the whole" of Oregon. Fifty-four degrees, forty minutes was their shibboleth and had lately been made a canon of party faith by the Baltimore Convention, yet he dared to conduct the negotiation palpably on the basis of readiness to settle on the line of the forty-ninth parallel. And the same willingness was made plain enough by him in the Senate debates of 1846. It was a manly course but was as nothing in comparison to that which we are next to consider,—his actions in regard to the declaration of war with Mexico. This is the one instance in his career in which he stood up almost absolutely alone and hopelessly, yet like a tower of strength, against the overwhelming sentiment of his people.

It has been said that from the start Mexico insisted that the annexation of Texas by us would be an act of war, nor did she

⁸³ "Congressional Globe," Twenty-ninth Congress, First Session, pp. 1168, 1169.

⁸⁴ Calhoun to J. E. Calhoun, January 16 and May 29, 1846, "Correspondence," pp. 675, 676, 692-695; to T. G. Clemson, September 18, 1845, *ibid.*, pp. 671, 672; to Hammond, September 28, 1845, *ibid.*, pp. 672, 673. Fernando Wood, December 26, 1845, to Calhoun, *ibid.*, pp. 1065-67. See *ante*, Vol. II, p. 354.

⁸⁵ Polk's "Diary," Vol. I, pp. 131, 159-62, 303, 337-39 and *passim*.

⁸⁶ "Thirty Years' View," Vol. II, p. 661.

swerve from this position. Once more under Polk a minister was sent to her to negotiate, but once more in vain. When Polk learned from Slidell that the Mexicans refused even to receive him, only a small American force was in Texas and the Cabinet were evidently anxious. The very next day (January 13, 1846), orders were accordingly issued to General Taylor to transfer his command from Corpus Christi to the left bank of the Rio Grande. Perhaps, under the circumstances, this order, which precipitated the armed conflict and was highly likely to do so, might have been justifiable during an adjournment of Congress, but both Houses were actually in session and not one word upon the subject was sent to either. This course was certainly not authorized under our system.⁸⁷

Murder will out, however, and in some way whisperings of the fateful orders got abroad very shortly. Senator Clayton of Delaware heard of them and imparted the information confidentially to Calhoun one day when they met in the Senate. This was apparently during January, and they had a second talk upon the subject in February. Clayton was alarmed and told Calhoun that we should be plunged into war, "unless some speedy action were taken either by himself or some other distinguished gentleman who could arrest the downward tendency of things arising from that order." Calhoun exclaimed in reply "It cannot be so! It is impossible!" but was assured that the report was true. Clayton felt that, as a Whig, he could not move in the matter to any purpose and again urged that Calhoun or some of the Democrats should take the question up.

But Calhoun answered that he could not make himself a leader on that issue, without assuming a position hostile to the Executive, while it was important that he should "maintain the kindest and most friendly relations with the President, in order that I should have some weight in bringing the Oregon question to an amicable settlement." After Taylor had begun his march, too, and the matter had become public, Calhoun said much the same thing to others. His plan, he

⁸⁷ Curtis's "Buchanan," Vol. I, pp. 595, 596. McMaster's "United States," Vol. VII, pp. 440, 441.

said, would have been to offer a resolution calling for the orders under which Taylor had marched and then to follow it up with a resolution to arrest his march. It is of course perfectly apparent that any such action on his part would have put him in bitter opposition to the Executive and thus have greatly hampered him in regard to Oregon and war with England. This latter issue seemed to him by far the greater, and he thought there was "hope that the Oregon question might be settled before an actual conflict" with the Mexican forces. Nothing was hence done to stop the course of events, and on April 25 an armed clash occurred.⁸⁸

On May 11, a message was received from the President announcing the occurrence of this conflict,⁸⁹ which happened on the North side of the Rio Grande in the region claimed both by Texas and Mexico, and the ownership of which by Texas was tacitly assumed by Polk. The message added the statement that war "exists by the act of Mexico herself." The subject was of course at once discussed, and Calhoun spoke several times against haste, insisting that, though there might be hostilities, war did not exist, could not exist, until Congress should declare it. He suggested that Mexico might disavow the action of her general. The result was that, on Benton's motion and with Calhoun's approval, the subject was divided and the portion relating to the declaration of war referred to the Committee on Foreign Relations and that on the raising of men and supplies to the Committee on Military Affairs, of which Benton was chairman. Calhoun was in favor of these latter measures to support General Taylor, and hoped to be able to secure calm consideration of the other issue of war.⁹⁰

But the House was quicker than the Senate, and the next day

⁸⁸ Clayton's account of this matter is to be found in "Congressional Globe," Twenty-ninth Congress, First Session, pp. 411, 412; and Calhoun's, in his speech in 1847 in reply to Mr. Turney, "Works," Vol. IV, pp. 338, 339. See also "Correspondence," pp. 690, 693. Calhoun stated to Polk, or to some one else in authority, that he thought war would result from the orders to General Taylor, Speech of February 24, 1847, in reply to Benton, "Works," Vol. IV, p. 372.

⁸⁹ Polk was ready, if not eager, for hostilities for some weeks before he heard of the clash of arms. "Diary," Vol. I, p. 354 (April 25, 1846) and *passim* to 390.

⁹⁰ Calhoun's "Works," Vol. IV, pp. 378-380.

(May 12) the Senate was informed by the lower body that it had passed a bill "providing for the prosecution of the existing war between the United States and the Republic of Mexico." This measure, which had the approval of Benton's Committee, recited that "by the act of the Republic of Mexico, a state of war exists between that Government and the United States," and then authorized the Executive to raise a military force not to exceed 50,000, as well as to take other steps looking to military and naval defense.

Calhoun again wanted time to consider, "but not delay," and complained that no one could even examine the documents sent. He was very much opposed to Benton's action in reporting a bill relating to both measures, which came near to a violation of the Senate's order of the preceding day to divide the subject, and there was an angry clash between the two men. By this time, however, the war fever was very high and it was of course perfectly apparent that the measure would pass.⁹¹ It was sure to receive, too, the votes of an overwhelming majority of Southern members, but this did not influence Calhoun, whose mind was evidently made up to stand out against it, come what might. He thought the war could easily have been avoided, and his constitutional views were much shocked by the idea that the action of the President alone could create a war.⁹² "It was just as impossible for him," he said during the debate, quivering with indignation, "to vote for that preamble as it was for him to plunge a dagger into his own heart, and more so."⁹³

Calhoun was in terrible earnest on this occasion, and the scene was one never to be forgotten by those who saw it. A

⁹¹ A caucus had been held and decided to pass the declaration. Calhoun in speech of February 24, 1847, in reply to Benton, "Works," Vol. IV, p. 379.

⁹² Gideon Welles thought that Calhoun and the South had grand schemes in view on the tariff and for large appropriations, in the line of the Memphis Memorial and its "inland seas" doctrine to improve western rivers, and thus secure the support of the West; all of which was of course rendered impossible by the war, and that this was the cause of Calhoun's disappointment and opposition, Gideon Welles, July 28, 1846, to Van Buren, in Van Buren papers, in Library of Congress.

⁹³ "Congressional Globe," Twenty-ninth Congress, First Session, pp. 782-785, 787, 795, 796, 804.

witness tells us that the orator "stood erect and motionless at first, but as he proceeded his head turned from side to side, his eyes glowed, and his words came fast and faster, and when he declared with vehement earnestness of tone that he would sooner stab himself to the heart than vote for that lying clause, he flung the back of his skeletonlike hand upon the desk before him with such energy, that men looked from all parts of the hall as if to see whether it had not been shattered to atoms by the blow." And to this another person adds what specially struck him, that this was done by Calhoun, *alone* in the Senate, while "trembling with passionate patriotism."⁹⁴

It may be assumed that such an experienced public man as Calhoun knew⁹⁵ full well in advance the serious nature of his course in thus placing himself alone in opposition to the flag-fever and against a war for which his own section was burning with special fury. His colleagues probably all disapproved of his course.⁹⁶ Dixon Lewis for the first time in his life tried to control him by dissuading him, and wrote later that Calhoun's action reminded him of "a great general, who wins great battles and then throws his life away in a street fracas."⁹⁷ In South Carolina, an effort was made at a public meeting to censure him, but did not succeed, and there can be no doubt that many thousands utterly disapproved of his course and in this instance did not by any means (as the phrase had it) "sneeze when Mr. Calhoun takes snuff."⁹⁸

In other Southern States, he was denounced. In Georgia, one correspondent of Howell Cobb wrote: "Mr. Calhoun has

⁹⁴ Rufus W. Griswold's "Prose Writers of America," p. 173. Jo. G. Baldwin's "Party Leaders," p. 218.

⁹⁵ Elmore told Polk a little later that Calhoun was "more irritable than he had ever known him." "Diary," Vol. I, p. 442.

⁹⁶ Rhett wrote later that he differed with Calhoun in the matter (Robert Barnwell Rhett on the Biography of Calhoun, 1854, by Gaillard Hunt, in "American Historical Review," Vol. XIII, pp. 310-12) and Pickens was a leader in the effort to censure Calhoun, mentioned immediately below. This action of Pickens led to a quarrel between him and Calhoun.

⁹⁷ Dixon H. Lewis, May 11, 1848, to R. K. Crallé, in "Calhoun as Seen by his Political Friends," in Southern History Association Publications, Vol. VII, p. 425.

⁹⁸ The Charleston "Mercury" of June 17 and 20, 1846. The "Mercury" of May 19 says in an editorial that "public opinion here warmly and proudly applauds the course of Mr. Calhoun on the war bill." But this opinion of a partisan may be doubted.

killed himself about here as far as *Democratic* support goes. I have not heard the first Democrat sustain his course on the war bill,⁹⁹ while another, who was an editor, wrote in the same vein: "Mr. Calhoun, I see, is getting farther and farther off. Who will go with him? Can you tell? I think I shall have to read him out before long."⁹⁹ In time, Calhoun lived down this denunciation; but perhaps Dixon Lewis was right in thinking that no one outside of South Carolina could longer support him and *live*, and that his action on the Mexican War was what cost him the Presidency in 1848-49.

Calhoun had said in the debate that he was ready to vote the supplies at once, and that his trouble was with the preamble. A motion to strike the latter out was, however, quickly lost by a vote of 18 to 28, with his vote of course in the minority, and then the House resolution with the preamble passed by 40 to 2.

Calhoun adhered to the course he had said in the discussion he should follow and was silent on the final vote. He did not vote either for or against the measure.¹⁰⁰

The war being thus an existing fact, it is apparent that Calhoun had no course left open to him but to support the measures for its prosecution, and to bring it to a successful ending. He accordingly voted at the same session in favor of the supplemental bill to prosecute the war¹⁰¹ and said he was in favor of that for issuing treasury notes and for a loan, at the same time while urging that taxation was the proper means to adopt and asking why tea and coffee were not taxed.¹⁰² And at the next session he voted for the bill authorizing the issue of 23 millions of Treasury Notes¹⁰³ and of course also

⁹⁹ Wm. Hope Hull, May 22, and Albon Chase, May 20, 1846, to Howell Cobb, in "The Correspondence of Robert Toombs, Alexander H. Stephens and Howell Cobb," Annual Report of the American Historical Association for 1911, Vol. II, pp. 77-79.

¹⁰⁰ "Congressional Globe," Twenty-ninth Congress, First Session, pp. 796, 804. Clayton and Davis gave the negative votes. A few besides Calhoun gagged at the preamble, Evans, of Maine, and Berrien declining to vote, while Crittenden and Upham voted "Aye, except the preamble."

¹⁰¹ "Congressional Globe," Twenty-ninth Congress, First Session, p. 985.

¹⁰² *Ibid.*, p. 1114.

¹⁰³ *Ibid.*, Second Session, pp. 237, 247, 267.

for that extending the thanks of Congress to General Taylor, which passed unanimously.¹⁰⁴

But at the same time it is perfectly apparent that he was quite out of sympathy with the war.¹⁰⁵ Not only did he think it might easily have been avoided, but he regarded it as very dangerous to our institutions. Calhoun ever wanted to preserve, as far as possible, the strictly federal features of our system, which he thought had already been so widely departed from, and feared that a war of conquest would be entered upon which would perhaps result in a vast increase of centralization. He said to his friends, on the passage of the act recognizing the war, that "a deed had been done from which the country would not be able to recover for a long time, if ever; and added, it has dropped a curtain between the present and the future, which to me is impenetrable."¹⁰⁶

He foresaw,¹⁰⁷ too, the desperate struggle between the sections for control of the conquered and ravished territory, and his ardent love for the Union and desire to save it, if possible with safety to his home region, led him to support the plans for bringing the war to an end with far more zeal than he did those for its prosecution.

When, toward the end of the session of 1845-46, the administration had some idea that they might soon secure a satisfactory treaty, Polk asked Congress in advance for an appropriation to facilitate this purpose, and there was an earnest contest in regard to a bill brought in to appropriate two million dollars, as well as the Wilmot Proviso, which was quickly moved to be added to it. The subject will be considered in the next chapter, but Calhoun now took advantage of it to express his general views at some length. There was already wide advocacy in the press and elsewhere of the policy of our

¹⁰⁴ *Ibid.*, p. 319.

¹⁰⁵ Benton later attacked him as the author of the war, citing his letter to Van Zandt and Henderson in regard to protection and the hurried orders to Donelson issued upon the passage of the joint resolution for annexation, and an angry clash ensued. "Congressional Globe," Twenty-ninth Congress, Second Session, pp. 496, 501, Calhoun's "Works," Vol. IV, pp. 362-82.

¹⁰⁶ Speech of February 24, 1847, in reply to Benton, "Works," Vol. IV, p. 371.

¹⁰⁷ Speech of February 9, 1847, on "the three million mill," *ibid.*, p. 323.

retaining a large part or even all of Mexico, but Calhoun was strongly opposed to this and warned members that "Mexico is to us the forbidden fruit; the penalty of eating it would be to subject our institutions to political death," and later on in the same speech he urged the dangers incident to the evident determination to press the Wilmot proviso and, as he put it, to exclude the South from the region.¹⁰⁸

In this speech, he also urged that we should seize an easily defensible line in Mexico and hold it with a view to force a peace, and he opposed the further active prosecution of the war and the effort to dictate a treaty "in the halls of the Montezumas." He suggested a line, which he said ¹⁰⁹ he inferred, from the declaration of the Chairman of the Foreign Relations Committee, to be the one contemplated by the Executive, viz.:— beginning at the mouth of the Rio Grande and following the course of that river to Paso del Norte in about latitude 32°, thence due west to the Gulf of California and down its course to the ocean. He urged, too, both the military and financial dangers of the active prosecution of the war in a vast, and in places very unhealthy, country and that our course might result in so crushing Mexico that no organized power would be left, capable of signing a treaty of peace.

Again here, Calhoun's views did not prevail and, while unavailing efforts were made for peace, the war went on until Scott at the head of our army entered the City of Mexico in September, 1847, and only guerrilla warfare remained. The internal disturbances of Mexico, however, were such as might well have left doubt by whom peace was to be made.

Meanwhile, in our country the talk of taking the whole or at least a vast part of Mexico went on, and perhaps Calhoun knew that some of the cabinet advocated this plan very decidedly.¹¹⁰ As a matter of fact, Polk and Walker at least were

¹⁰⁸ "Works," Vol. IV, pp. 303 *et seq.*, 308, 323.

¹⁰⁹ He was in reality probably aiming to let it be known that he would support a plan of Polk, for the latter had told him in March, 1846, that this was almost exactly the line he should aim to secure. "Diary," Vol. I, p. 312.

¹¹⁰ Calhoun wrote to his son Andrew on December 11, 1847, that the general impression from Polk's message was that it was intended to conquer and subject the whole of Mexico," "Correspondence," p. 731.

as early as June, 1846, in favor of ravishing from Mexico all the territory she owned north of a line due west to the Pacific from the mouth of the Rio Grande in about latitude 26°, and down to the end Polk and several of the Cabinet were at heart lusting for some such colossal robbery. It was only circumstances which in effect forced the decision to accept Trist's Treaty in 1848.¹¹¹

Calhoun was most strongly opposed to any such vast plan of conquest. Doubtless, one reason was that he looked upon it as sure to lead towards imperialism and centralization. He dreaded, moreover, the result it would have of incorporating with us a very inferior people, much tainted with negro and Indian blood. Of course, he was most strongly opposed to this as a Southerner ever on the alert not to accord equality to the negro, nor was he tempted by the increase of Southern power which it would apparently cause. And besides all this, he feared, as has been shown already, the terrible struggle between the sections, which the Wilmot Proviso convinced him would result. Hence, in accordance with a method which he so often followed, he offered the following resolutions in the Senate early in the session of 1847-48:

RESOLVED, That to conquer Mexico, and to hold it, either as a province or to incorporate it in the Union, would be inconsistent with the avowed object for which the war has been prosecuted; a departure from the settled policy of the Government; in conflict with its character and genius; and, in the end, subversive of our free and popular institutions.

RESOLVED, that no line of policy in the further prosecution of the war should be adopted which may lead to consequences so disastrous.

He spoke at length on these resolutions on January 4, 1848, explaining his course in regard to the war and again urging that we should seize and hold as security a line following the Rio Grande from its mouth to Paso del Norte and thence due west to the Pacific. This line, he said, the experience of

¹¹¹ Polk's "Diary," entry of June 30, 1846, Vol. I, pp. 495-97; and see Prof. Edward G. Bourne's article on "The United States and Mexico, 1847-1848," in the "American Historical Review," Vol. V, pp. 491-502.

Texas and evident facts showed could be securely held by a very small force and at slight expense, while the pending Ten Regiment bill and other measures showed the ambitious and most costly designs which were in view. The doubtful success of these latter plans and the likelihood of our finding no power left in Mexico to treat with were again borne upon.¹¹²

The resolutions were not brought to a vote and had probably served their purpose in affording a basis for his speech. Perhaps, too, they had their effect on the public, or possibly the great influence which led to more moderate counsels was the sober sense of the American people. When the far less grasping treaty of Guadalupe Hidalgo came in, it was sent to the Senate by the administration and soon ratified. Calhoun, of course, voted for it, and had thought by the middle of March that a far less grasping sentiment was manifested throughout the country. None the less, the Ten Regiment Bill was still urged, after our ratification of the Treaty, as a means of intimidating Mexico; and here again Calhoun spoke and voted against the administration.

His speech¹¹³ covered a wide range, going again over the whole policy and in the course of it he fell into a discussion with Cass and Davis in regard to the powers of the President in the conquered territory, insisting that he had no right to lay duties and taxes on the people of Mexico. Cass maintained at one time that the Executive's powers in Mexico were unlimited, except by the restrictions imposed by the law of nations, but was at once in trouble, when asked whether he could grant titles of nobility. The subject can not be gone into here, but its occurrence shows Calhoun's readiness, as well as his tendency to enter upon such discussions. It was not long before the Treaty was ratified by Mexico, and the romantic episode of the second of our great foreign wars became a matter of history.

¹¹² "Works," Vol. IV, pp. 396-424.

¹¹³ "Works," Vol. IV, pp. 425-450: see 429, 432-439, 442, 443-449. His vote against the bill, which passed the Senate on March 16 by 29 to 19, is to be found in "Congressional Globe," Thirtieth Congress, First Session, p. 503.

Before entering upon the terrific and disorganizing contest which quickly arose between the sections in regard to the disposition of the territory conquered from Mexico and that awarded to us by the Oregon Treaty,—the next and last task of this Life,—there is one subject in which Calhoun's beliefs or tendencies came out at much the same period of 1845-48, which should be here considered.

Calhoun was never a Democrat in the sense of thinking that the unchecked voice of a mere majority has an inherent right to control, and especially not the majority of a vast population scattered over an enormous and diversified territory. He was a conservative, too, and was far from quick in his latter years to rejoice at the hasty overthrow by revolution of an existing system which had been tolerable, and the declaring of a republic in its place. There was great excitement in our country when this was done by France in 1848, and it was not long before resolutions were offered in the Senate to congratulate the French Nation on their success in the matter. Great enthusiasm prevailed, but Calhoun wanted to move more slowly. He told members that the time had not yet come for congratulation. Much remained to be done. "They have decreed a republic, but it remains for them to establish a republic."

Doubtless, what he said on another occasion about this same time lay back of his feeling, when he remarked that it was a great delusion to suppose it our mission to spread liberty all over the world. "None but a people advanced to a high state of moral and intellectual excellence are capable in a civilized condition, of forming and maintaining free governments," and to this he added that such institutions have not been the result of foresight and wisdom but of some fortunate combination of circumstances. Our own so grew, he said, and was "superior to the wisdom of any or all of the men by whose agency it was made."¹¹⁴

It must be left to the reader to decide to what extent, if at

¹¹⁴ Speech of March 30, 1848, on the resolutions to congratulate, "Works," Vol. IV, pp. 450-454; and of January 4, 1848, on his Resolutions in reference to the War with Mexico; *ibid.*, pp. 396-425. See p. 416.

all, Calhoun was here guided by the necessities of his views as to slavery, but many will admit that much he said in the connection was very sound. Still, it probably did not follow that the pending resolution should be defeated in our country, and its fate was far otherwise. Calhoun's motion to table was lost by 14 to 20 and a week later the resolution, modified by the Committee on Foreign Relations, was passed by 32 ayes to no Noes. Calhoun did not vote, but had shortly before been present and taking part in the proceedings.¹¹⁵

It has been seen that Calhoun was pleased with the nomination of Polk and supported him during the campaign, but the new President's course as to Oregon and the Mexican War soon drove him away and he was in great part in opposition. At one time, it seems that he even thought of breaking with the President¹¹⁶ and, though Polk continued until about the close of his term to send for Calhoun and consult him as to moves of which he was thinking, he often noted in his Diary that Calhoun is "opposed to my administration."¹¹⁷ This was of course a heinous crime in the eyes of Polk, who was a politician to the core and, like all politicians, expected members of the party to stand by him through thick and thin. Calhoun was far too independent to follow such a course and could hence hardly be *persona grata* at the White House from 1845 to 1849.

One other matter must be mentioned here, of little interest to-day, but then thought vital, for it concerned a squabble of politicians. Thomas Ritchie, for so many years the successful editor of the Richmond *Enquirer*, had been induced in 1845 to come to Washington and edit the new organ, the *Union*. He was a man addicted to fiery expressions, and his pen often dripped gall. As the mouthpiece of the administration, he was

¹¹⁵ "Congressional Globe," Thirtieth Congress, First Session, pp. 569, 592.

¹¹⁶ B. Tucker, March 13, 1847, to Hammond, and other letters to and of Hammond of about that date, in Library of Congress.

¹¹⁷ Polk's "Diary," Vol. I, pp. 131, 132, 344; Vol. II, p. 371 (Where he intimates that Calhoun's reason was that Polk had not taken him into his cabinet), and *passim*. At, *ibid.*, pp. 282-284, he notes that Calhoun is decidedly opposed to the Lieutenant General Bill, and later writes (*ibid.*, p. 347) that Calhoun and two or three Democrats with the Whigs defeated it.

of course in favor of a most vigorous prosecution of the war against Mexico and strove to drive every one on the same road. He referred to the *National Intelligencer* as the Mexican paper at the capital, and wrote of Calhoun and those acting with him as "friends, compatriots and fellow-soldiers" of Santa Anna and Ampudia, and finally on the defeat of the Ten Regiment Bill, he printed in the *Union* a communication signed "Vindicator," and headed, "Another Mexican Victory," which plainly referred to Calhoun.

This was apparently the final straw, and Yulee submitted as a question of privilege a resolution to exclude the editors of the *Union* from the Senate for a libel on the body in this matter. The resolution was discussed slightly, and in three days the result was its passage by 27 to 21. Calhoun was among the Ayes, but I think no one will much blame him to-day, despite the fiery interest and indignation of politicians that it aroused at the time.¹¹⁸

¹¹⁸ Ambler's "Thomas Ritchie," pp. 265, 266. "Congressional Globe," Twenty-ninth Congress, Second Session, pp. 366, 367, 382, 416, 417.

CHAPTER XI

THE GROWING SPIRIT OF ABOLITION

The Wilmot Proviso — Second Session of the Twenty-ninth Congress — Calhoun's Resolutions on Slavery — Meeting in Charleston — Virginia and Alabama speak — Southern Plans and Fears — The Thirtieth Congress — Oregon — Popular or "Squatter" Sovereignty — The Clayton Compromise Bill — The Missouri Compromise Line — Passage of Oregon Bill — Southern Excitement — Extending the Constitution to the Territories — The "Southern Address" — The South not yet ready to unite — Calhoun's Failing Health — Vacation at Fort Hill.

FLORIDA was admitted to the Union in 1845, but for some years it had been apparent that upon the happening of that event a very serious state of affairs would be presented to the Southerners. Theretofore new States had been admitted pretty closely in pairs,—one Northern and one Southern,—and thus the equal voice of the South in the Senate had been preserved. The slave section had long been in a minority in the House and in the choice of the President. But after the admission of Florida there would be no more of the land we then owned from which there was any chance that Slave states might be formed, unless after the lapse of a long course of years,—while the vast Northwest was filling up with a teeming population,—and it was certain that these regions would soon be knocking for admission. Their entrance into the Union was hence sure ere long to leave the South in a minority in all branches of the Government.

With the growing spirit of abolition throughout the world and in our own North, we cannot wonder that the Southerners were appalled at the prospect thus before them. Those proud and masterful men could not be expected to sit down tamely

and submit to hold their civilization at the will of a majority living far from them and whose utterances showed plainly enough what an already large and ever-growing element among them wanted to do with slavery.¹

It was undoubtedly in great part to meet these difficulties and stop the relative dwindling of the South that the Southerners were so eager for the annexation of Texas, and later for the Mexican War and the new territory acquired as a consequence thereof. They volunteered with enthusiasm for these projects, many laying down their lives in battle, and they hoped easily to pour into the new regions and then to demand admission as Slave States and so maintain their relative power in the Union. It was a rude awakening from these plans to find provisos eagerly pressed which prohibited slavery in any regions to be acquired, and when, ere long, the forces opposing them showed their power to pass these measures, the South was fairly aghast.

Calhoun's opinions in regard to slavery and abolition, and the maintenance of what he thought the rights of the South, did not change when the sorrow came with years and ever darker prospects seemed to threaten his home region. His views on these subjects were indeed unalterable,—a part of his nature. And with his fears on this point came anxiety as to the perpetuity of that Union, which he had so long loved and so often aided to preserve. They were indeed years of sorrow to him, when the conviction pressed on him that his home-country would ere long be forced, in order to save itself from destruction, to break that Union asunder.

The Wilmot proviso was first offered in the House on August 8, 1846. The War with Mexico was then going on, but Polk had hopes that he could end it and by a cash payment secure some part of the territory belonging to Mexico; he

¹ A well-known historian, who is very far from taking the Southern view, writes that when the question of control was finally settled against the South by the admission of California, its leaders saw themselves in a minority, adding: "At no distant day, the system which they had pressed to extend would be at the mercy of a numerical majority, *whose inner wish was to eradicate it*" (italics mine), yet many writers persist in maintaining that slavery, so far as it then existed, would not have been interfered with. Schouler's "United States," Vol. V, p. 153.

therefore sent a message to Congress asking for an appropriation of \$2,000,000, to aid in making peace. It was to this appropriation that David Wilmot² moved the famous Proviso. Calhoun had been consulted as to the intended message, and Polk writes that he found him noncommittal and a few days afterward of opinion that it was not then advisable.³ It seems, though, from Calhoun's later course that this must have been owing to some temporary cause or to that wise caution of the trained statesman which leads him to hesitate to jump too hastily. The proviso was passed by the House, but the end of the session was near and the Senate did not act.⁴

Soon after the next session (Second Session of the Twenty-ninth Congress) had come together, Calhoun wrote to Mrs. Clemson, December 27, 1846:

It is understood, that the North is united on Wilmot's proposition to a man, and intend to act on it when the country is con-

² The Wilmot proviso as offered at this session read ("Congressional Globe," Twenty-ninth Congress, First Session, p. 1217):

"Provided, That as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted."

Its form was varied to some extent on later occasions. Jacob Brinkerhoff of Ohio drew it, but, as he was of abolition tendencies, he knew it would not pass if offered by himself, and therefore gave it to Wilmot of Pennsylvania to present. Prof. Passinger ("Report of American Historical Association" for 1911, Vol. I, p. 189-95) thinks it was the answer of the West to the breaking of "The Bargain of 1844,"—alleged to have been made at the Baltimore Convention of that year,—by which the West agreed to support the South as to the Annexation of Texas, and the South to support the West as to Oregon. There seems to have been some agreement of this kind between a few politicians, to judge from the reproaches made against them in 1846, but it was certainly very vague and far from general. Calhoun, for instance, was actively engaged only a few months later in the Oregon negotiation, by which he showed plainly his readiness to settle on the 49th parallel, and his so doing was sure soon to become known (see *ante*, Vol. II, p. 381). It seems more likely to have been, as Prof. Passinger also suggests, an expression on the part of the free States of that same fear that guided the South, that they might lose their power in the Union from the coming in of many States belonging with the opposite section.

³ Polk's "Diary," Vol. I, pp. 311-13, 317.

⁴ "Congressional Globe," Twenty-ninth Congress, First Session, pp. 1211, 1214, 1217, 1218, 1221.

quered. What is to come of all this, time only can disclose. The present indication is, that the South will be united in opposition to the Scheme. If they regard their safety they must defeat it even should the union be rent asunder. . . . I desire above all things to save the whole; but if that cannot be, to save the portion where Providence has cast my lot, at all events.

In much the same vein, Wilson Lumpkin replied on January 6, 1847, to a letter from Calhoun and, after referring to the evident determination of the North to exclude slavery from the prospective new territory went on:

My old friend, I love the Union. But I am ready to resist unto death, rather than to submit to the schemes, plans and policy of the Abolitionists and their friends and supporters throughout the non-slaveholding States.

Ardently as I love the Union, I consider it valueless, when it is used for my oppression and destruction.

The President again asked for an appropriation to aid in securing peace, and a bill carrying \$3,000,000 for the purpose was introduced in both houses. Wilmot soon moved the anti-slavery amendment in the House, and Upham proposed a like one in the Senate. In the former branch, the bill was passed, after the amendment had been added to it, by a small majority (115 to 106). The Senate passed its own measure after defeating the Upham amendment by 21 to 31, and to this Senate bill the House in committee of the whole added the Wilmot Proviso, but the House proper refused by 97 to 102 to agree to this vote, and the appropriation without the amendment passed on March 3 by 115 to 81 and became a law.⁵ On these votes, as on the same question at the prior session, the Southern members were unanimous.⁶

Calhoun spoke on this bill on February 9th, but most of what he said had reference to the method of conducting the war and was aimed against its proposed vigorous prosecution. Toward the end of his speech however, he referred to the still

⁵ "Congressional Globe," Twenty-ninth Congress, Second Session, pp. 204, 303, 425, 546, 556, 573.

⁶ Calhoun, in his Charleston speech, "Works," Vol. IV, p. 391.

deeper and more alarming problem of how the territory to be acquired should be disposed of. The North, he said, was apparently united in the determination that "they shall have the exclusive benefit and monopoly" in the region, by virtue of laws to exclude slave-owners from migrating to it with their property, and on this all parties seem to be united. And then he added, with an evident reference to the terrible quarrel between the sections, which he foresaw: "Be assured, if there be stern determination on one side to exclude us, there will be determination still sterner on ours, not to be excluded."⁷

But there was small comfort for the South in the defeat of the Wilmot Proviso at the session of 1846-47. The spirit of determination among members from the non-slave States showed too plainly the feeling throughout the North, and the immense popularity of the amendment in that section told precisely the same tale of a fixed determination to prevent any extension of slavery. Eleven States resolved in favor of its exclusion by the votes of one or both houses, and these resolutions were, of course, sent to Congress, beside like ones of other bodies.⁸

In consequence of all this, and to meet it and "force the fighting,"—but not at all, as so many have thought, with the view of breaking the Union,—Calhoun, *more suo*, prepared a set of abstract resolutions asserting the joint ownership of the territories by the several States, and that Congress had no right to pass a law by which any State should be deprived of its equal right therein, or its citizens prevented "from emigrating, with their property, into any of the territories of the United States," and, further, that the people forming a new constitution with a view to admission have an unconditional right to adopt the government they think best for them-

⁷ "Works," Vol. IV, pp. 303-327; especially 323.

⁸ There were fourteen or fifteen non-slave States, according as Iowa was not or was counted. For the resolutions in New Hampshire, see Niles's "Register," Vol. LXXI, pp. 333, 404; for New York and Pennsylvania, *ibid.*, pp. 353, 372, 373; for Ohio, *ibid.*, p. 353; for New Jersey, *ibid.*, p. 404; for Maine, *ibid.*, Vol. LXXII, p. 339; for Connecticut the "Message of Governor of South Carolina" of November, 1847, in the Charleston "Mercury," November 24, 1847; for Rhode Island, Vermont, Massachusetts, and Michigan, the "Report of the Committee to the Charleston Meeting of March 9, 1847"; in Niles's "Register," Vol. LXXII, p. 39.

selves, subject only to the constitutional provision that it shall be republican.

These resolutions ⁹ were offered on February 19, and Benton at once denounced them as a string of abstractions, saying that he would "never leave public business to take up firebrands to set the world on fire. . . . As Sylla," so he went on a few days later with one of the classical allusions so much affected in that day, "saw in the young Cæsar many Mariuses, so I see in them many Nullifications." Calhoun replied that all the great rules of life were abstractions, and that he had counted on finding the Senator from Missouri, the representative of a slaveholding State, ready to support the resolutions. Benton's answer, however, was:

"I shall be found in the right place. I am on the side of my country and the Union."¹⁰

⁹ They read as follows ("Works," Vol. IV, pp. 348, 349, or "Congressional Globe," Twenty-ninth Congress, Second Session, p. 455):

Resolved, That the territories of the United States belong to the several States composing this Union, and are held by them as their joint and common property.

Resolved, That Congress, as the joint agent and representative of the States of this Union, has no right to make any law, or do any act whatever, that shall directly, or by its effects, make any discrimination between the States of this Union, by which any of them shall be deprived of its full and equal right in any territory of the United States acquired or to be acquired.

Resolved, That the enactment of any law which should directly, or by its effects, deprive the citizens of any of the States of this Union from emigrating, with their property, into any of the territories of the United States, will make such discrimination, and would, therefore, be a violation of the Constitution, and the rights of the States from which such citizens emigrated, and in derogation of that perfect equality which belongs to them as members of this Union, and would tend directly to subvert the Union itself.

Resolved, That it is a fundamental principle in our political creed, that a people, in forming a constitution, have the unconditional right to form and adopt the government which they may think best calculated to secure their liberty, prosperity, and happiness; and that, in conformity thereto, no other condition is imposed by the Federal Constitution on a State, in order to be admitted into this Union, except that its Constitution shall be republican; and that the imposition of any other by Congress would not only be in violation of the Constitution, but in direct conflict with the principle on which our political system rests.

¹⁰ "Congressional Globe," Twenty-ninth Congress, Second Session, pp. 455, 497, 498. I have taken the liberty of bringing together Benton's remarks on two occasions. It was on the second occasion, and perhaps in consequence of the resolutions, that he made an evidently prepared attack on Calhoun as the author of the Mexican War. Calhoun said in the course of his answer ("Works," Vol. IV, pp. 362-382) that he had

Great mutual dislike and disapproval led to this incident between Calhoun and Benton which, though trivial in itself, may well serve as a landmark in the growing alignment for the struggle of 1861-65.

In his speech, on offering the resolutions, Calhoun did not argue at any great length the question of the right he claimed for Southerners to migrate with their slaves to the new territories and to found slave States, but presented it about as follows:

The North and the South have always had and still have to-day an equal voice in the Senate, and the Constitution was drawn with the express view of maintaining the equality of the two sections, but very soon the South must be in a minority in all the branches by the incoming of Iowa and Wisconsin. Nor is this all. The South must remain forever with fourteen States only, for her system is to be excluded from all the territories, while the North will in time have from the existing territory alone some twelve or more States, thus leaving the whole Government overwhelmingly in their hands. We shall be at the entire mercy of the non-slaveholding States.

Can we rely on their justice and regard for our interests? The past, as well as the efforts now making to exclude us from the joint property of all, answer the question too plainly. The day that the balance between the two sections is removed will not be far distant from revolution, anarchy, civil war and widespread disaster. The South is the conservative portion of the country and when the present scheme is carried out, Wo! Wo! I say, to this Union!

But is there not a remedy in the constitution? Ours is a Federal Constitution, of which the States are the parties, and they—"the States United"—own jointly the territories. Our whole system is based on justice and equality, and a monopoly of the public domain by one side is not equality. It is utterly inconsistent with equality to pass measures which rob us of all share in the common property.

If such laws are passed, it is not for me to say what the South will do. But I may speak as an individual member of that section of the Union. There is my family and connections;

heard for several days past of Benton's intention to attack him, and had been jestingly asked if he did not expect to be annihilated.

there I drew my first breath; there are all my hopes. I am a planter—a cotton-planter. I am a Southern man and a slave-holder—a kind and merciful one, I trust—and none the worse for being a slave-holder. I say, for one, I would rather meet any extremity upon earth than give up one inch of our equality—one inch of what belongs to us as members of this great republic. . . . I think I see the future. If we do not stand up as we ought, in my humble opinion, . . . the condition of Jamaica is prosperous and happy compared with what must be that of the Southern States.¹¹

The resolutions were not brought to a vote at any time; but their author said ¹² in his Charleston speech a few weeks later that it had been his intention to secure a decision upon them, but that he was unable to do so because of the great pressure of business during the last few days of the session.

As Calhoun went South after the adjournment, a meeting was called at the urgent request of many citizens of Charleston, for the evening of March 8, at the New Theatre for him to address them. It had, however, to be postponed until the next evening on account of his indisposition. On the 9th he was still "labouring under a severe cold, accompanied by hoarseness; but I succeeded in making myself heard, in a short address of about 30 or 40 minutes."¹³ The *Mercury* tells us that "every nook and cranny of the spacious building was filled to overflowing. The dense masses of the sterner sex were relieved by a dazzling array of female loveliness," while Calhoun wrote that the building "was literally crowded and hundreds had to retire from the impossibility of getting in."¹⁴

There was more than one speech, but Calhoun's was of course the great event of the evening. He spoke of the danger to the

¹¹ "Works," Vol. IV, pp. 339-49.

¹² "Works," Vol. IV, p. 384. Benton said in a partisan speech in 1849 that Calhoun's reason was that he saw they would be lost, if called up, and that they were therefore sent instead to the Southern States. Speech at Fayette, Howard County, Missouri, on Saturday, September 1, 1849, Pamphlet in Library Company of Philadelphia.

¹³ Calhoun, March 19, 1847, to Thomas G. Clemson, "Correspondence," p. 720.

¹⁴ "Mercury," March 10, 1847. "Correspondence," pp. 718, 719. For the speech, see "Works," Vol. IV, pp. 382-395, or Niles's "Register," Vol. LXXII, pp. 73-75, or the "Mercury" of March 23rd.

South from the strong sentiment in the North against slavery, and added that the non-slave part of the country was certain soon to have the voting power necessary to pass the Wilmot Proviso. But, he said, we have a remedy, for the Constitution is strongly and clearly on our side. Our Government is a Federal one, and the States are the constituent parties, standing to it as do the citizens of a State to the State. Hence, all the territories belong to the States,—that is, to the States United or the States of the Union, which terms are synonymous, and not at all to the Government, as the term United States has led many to suppose. The Government is but the agent, and it can no more appropriate the territory to the exclusive use of some of its principals than it can so appropriate the forts or the navy or any other property of the United States.

There is in reality, he continued, no hostility of interests between the two sections, and the political leaders in the North care little about slavery, one way or the other. What they always want is to secure the great prize of the presidency, and parties are so evenly divided in the North that the fanatical abolitionists, composing but about five per cent. of the population, are ever in the position of being able to control the election by throwing their votes one way or the other, according as this or that party does the most for them.

Near the end of his remarks came the following passage:

Let us show at least as much spirit in defending our rights and honor as they (the non-slaveholding States) have evinced in assailing them. Let us, when our safety is concerned, show at least as firm determination, and as much unanimity, as they do with no other interest on their part but the temporary one of succeeding in the Presidential contest. Henceforward, let all party distinction among us cease, so long as this aggression on our rights and honor shall continue, on the part of the non-slaveholding States. . . . But far be it from us to desire to be forced on our own resources for protection. Our object is to preserve the Union of these States, if it can be done consistently with our rights, safety, and perfect equality with other members

of the Union. On this we have a right to insist. Less we cannot take.¹⁵

A Report and Resolutions also were presented by Col. I. W. Hayne and unanimously adopted, which resolutions were in part to the effect that any further submission to "the proposed exclusion from an equality of benefits in the Territories . . . would be unwise, dangerous, dishonorable and debasing. . . . That this is a question paramount to all consideration of party or mere policy." They also cordially endorsed the resolutions on the general subject lately passed by the Virginia House of Delegates, the purport of which will soon appear. Calhoun said in his speech that he fully approved of the report and resolutions brought in by Hayne, and it is of course likely that he had been consulted as to them in advance. A meeting to the same general effect was also held at Columbia on March 15th and addressed by Calhoun's colleague in the Senate, Butler.¹⁶

During the following months both Calhoun and the South in general were anxious and considering the best course to follow. He wrote his daughter on August 13, 1847, "I look forward to the next session of Congress as one pregnant of events of the most momentous character." And a little later, during October, meetings against the Wilmot proviso were held in Darlington,¹⁷ Barnwell,¹⁸ Laurens,¹⁹ Anderson,²⁰ and Greenville,²¹ at which resolutions in general similar were adopted, suggesting that, in case of the adoption of the Wilmot Proviso, the Southern members should protest and "leave the halls of Congress to return to their constituents." At Darlington the resolutions added: "We love the Union; we cherish for it a sacred fondness and affection and wish it to be perpetual . . .

¹⁵ The reader will observe what Calhoun said to a Charleston audience in regard to the Union; and he wrote the same evening to Duff Green: "I never have been received even here with greater unanimity and enthusiasm." "Correspondence," pp. 718, 719.

¹⁶ The Charleston "Mercury," March 18, 1847.

¹⁷ *Ibid.*, October 11, 1847.

¹⁸ *Ibid.*, October 9. Niles's "Register," Vol. LXXIII, p. 127.

¹⁹ "Mercury," October 19.

²⁰ *Ibid.*, November 16.

²¹ Niles's "Register," Vol. LXXIII, pp. 135, 136.

but this thrice glorious Union is with us as 'the dust in the balance,' if, to preserve it, we are called on to submit to the degradation and political subversion involved in" the Wilmot Proviso. And at Greenville Waddy Thompson's speech was to this same effect, to which he added that he thought slavery would not exist in the Rio Grande region and that we had best not annex any more territory.

When the Legislature met in the end of November, the Report of the Committee on Federal Relations spoke of their devoted attachment to the Union; and the resolutions, unanimously adopted in both branches, asserted the joint ownership of the Territories, and then went on:

If in disregard alike of the spirit and principles of . . . the Missouri Compromise and of every consideration of justice, of constitutional right and of fraternal feeling, the fearful issue shall be forced upon the country, . . . the people of South Carolina can have no difficulty in choosing between the only alternatives that will then remain, of abject submission to aggression and outrage on the one hand, or determined resistance on the other, at all hazards, and to the last extremity.²²

Virginia and Alabama also spoke to the same general effect at about this time,²³ and all asserted the main principles contained in Calhoun's Senate Resolutions of February 19, 1847. Doubtless, these later papers were drawn more or less in concert. In regard to those of Alabama, a prominent man in that State wrote to Calhoun on August 24th that he had been asked to obtain his views in regard to action contemplated by their Legislature relative to the ground to be taken against the Wilmot proviso, and to this the writer added what, as has just been seen, Waddy Thompson thought, that "there is a growing disposition among our friends to come out boldly

²² The "Mercury," November 24 and December 20, 1847.

²³ The Virginia resolutions were passed unanimously on March 8, 1847, and contained the same language as is quoted in the text from the later resolutions of South Carolina. The Virginia House of Burgesses had resolved a little earlier that "under no circumstances will this body recognize as binding any enactment by the Federal Government which has for its object the prohibition of slavery in any territory," &c. Ames's "State Documents on Federal Relations," pp. 244-247. Charleston "Mercury," August 11, 1847, Niles's "Register," Vol. LXXII, p. 39.

against the further acquisition of Territory as the only practicable mode of saving the South against the danger that threatens from this alarming question."

Calhoun answered this letter, and urged that the South should "force the issue," and take certain steps that he thought would lead the Northern States to stop the passing of laws to prevent obedience to the constitutional stipulation for the return of fugitive slaves, the "Liberty Laws" and others aimed against the Southern system. These, he insisted, were all absolutely unconstitutional,²⁴ and their passage would fully justify the South in measures of retaliation.

We want a method, he added, which will avoid the dissolution of the Union, for it is our sacred duty to try every other means before resorting to that step, so let us in turn refuse to fulfill the constitutional stipulations in their favor. Let us close our ports to their ships and thus cut off the very lucrative commerce they enjoy with us. He advised that this measure should be directed against sea-going vessels only, for it would then leave open Southern trade with the Northwest and tend "to detach the Northwestern from the Northeastern States," and he was satisfied that the "unbounded avarice" of the North would quickly force them to yield. The plan was an extension of that which Virginia had adopted in 1840 at the time of her contest with New York in regard to the latter's refusal to surrender fugitive slaves, and which South Carolina also put on her statute-book at about the same time, under Calhoun's advice.²⁵

The opinion expressed by Lesesne in his letter to Calhoun,

²⁴ As to many of these laws, I presume the truth of this statement can hardly be doubted, apart from the doctrine of a "higher law," and how far this is to be admitted is too broad a question to be gone into here. The South could of course see no justification whatever for it.

²⁵ Joseph W. Lesesne to Calhoun, August 24, and September 12, 1847, "Correspondence," pp. 1130 and 1133. I have been unable to find the answer of Calhoun, which was apparently made public at some time after his death, but I think there can be little doubt that it is the letter that Benton comments on so severely ("Thirty Years' View," Vol. II, pp. 698-700). I have hence had to depend on Benton for its contents, but what Lesesne writes in his second letter seems to bear out Benton's account. The Virginia law of 1840 required a bond from the master of a vessel not to give aid to fugitive slaves. McMaster's "United States," Vol. VII, pp. 251, 252.

— and by Waddy Thompson at the Greenville meeting,— that the South had best oppose any further acquisition of territory, shows how serious the whole question seemed to at least some of the Southern leaders. They had wanted the war so as to acquire new territory and people it with emigrants from their section, who might carry slaves with them; but the growing majority of the North soon showed almost conclusively that slavery would be excluded, and the South began then to realize with horror that the addition of new territory would only injure them. As Lesesne put it, if new territory were acquired and the Wilmot Proviso passed, even secession would not help, for they would in that event be surrounded by free territory. The view was also shared by at least one more of Calhoun's correspondents, John A. Campbell,²⁶ and was probably widely held.

Some of the leaders in the South²⁷ were already urging a settlement of the contest on the basis of the Missouri Compromise,— that the line of 36° 30' should be extended westward to the Pacific,— and we shall find that a strong effort was made by the conservatives on both sides to accomplish this end. It offered a reasonable division and was surrounded by the halo of history. Calhoun did not greatly favor it, and his views at about this time as to the future of slavery are not at all clear. In 1845, when the Annexation of Texas was yet by no means accomplished and he was slowly recovering from a very severe illness, he told a friend, speaking of the results of annexation, if accomplished: "What it might work on slavery, he could not say, but he presumed that it would gradually work slavery southwards."²⁸ And in an interview with Polk

²⁶ John A. Campbell, November 20, 1847, to Calhoun, "Correspondence," pp. 1139-1145, and see *ibid.*, p. 1155. Lesesne recognizes that there existed in the South a large party in favor of acquiring new territory. Calhoun seems at first to have favored the Lopez expedition to Cuba, but to have grown very lukewarm when the Wilmot proviso and the slavery disputes came into the matter. Claiborne's "Quitman," Vol. II, pp. 53-57. Articles by Wm O. Scroggs in "Gulf States Historical Magazine," Vol. II, p. 176; and by Jesse Wright Boyd in *ibid.*, pp. 329-331. See also "Correspondence," pp. 1202-1204.

²⁷ Rhett, in letter of Sept. 8, 1847, to Calhoun, "Correspondence," p. 1132. Polk also favored it ("Diary," Vol. III, pp. 501, 504, 505), and it will soon appear that Foote did the same.

²⁸ Memorandum by Francis Wharton of "Conversation with Calhoun on February 18 and 20, 1845," "Correspondence," p. 644.

toward the end of 1846, when the President remarked, in speaking of the expected bill making an appropriation to buy Mexican territory, that probably slavery would never exist there, Calhoun assented and said "he did not desire to extend slavery."²⁹

The First Session of the Thirtieth Congress came together on December 6, 1847, and Calhoun was in his seat the next day. He had been elected in December, 1846, to a full term from March 4, 1847, after the expiration of that of Huger, which he was then already filling.³⁰ Great events and a most desperate struggle were in store, as it has been shown he had foreseen and had written his daughter in August, and the session was still young when he told his son Andrew on February 23rd "The Slave question will soon come up, and be the subject of deep agitation. The South will be in the crisis of its fate. If it yields now, all will be lost." He also enclosed a copy of Yulee's speech of February 14, which, he said, expressed substantially his own feelings. We are of the same mess, he added, and have conversed freely on the principles involved.

The contest centred itself about Oregon, perhaps because with an Indian war and the long delay since the Treaty with England, the need for an established government was so crying. At the prior session, a bill had passed the House, which excluded slavery by repeating the restriction of the Ordinance of 1787; but it was laid upon the table in the Senate on the last day of the session.³¹

At the present session of 1847-48, Douglas brought in a new bill from the Committee on Territories, and the subject was perhaps made more difficult by the presentation of the doctrine of popular, or "squatter," sovereignty. This had been suggested a year before in the House, by Caleb B. Smith of Indiana and Leake of Virginia, but had had a far earlier origin in our public affairs. Now Dickinson of New York offered reso-

²⁹ Polk's "Diary," Vol. II, pp. 282-284.

³⁰ Jenkins's "Life," p. 410. Niles's "Register," Vol. LXXI, p. 225.

³¹ "Congressional Globe," Twenty-ninth Congress, Second Session, pp. 198, 570.

lutions in its favor, and the idea was soon taken up by Cass and by Douglas.³²

Calhoun was understood by some to advocate it in his speech (June 27, 1848) on the Oregon Bill, but this was a complete error. All he said was that, when the intending State came to adopt and present a constitution upon its admission, the people had a right to frame their fundamental law as they pleased, subject only to the provision that it must comply with the requirement of the United States Constitution. "Squatter" sovereignty, as it was dubbed by its enemies, maintained the right of each territory, during its territorial period, to make laws to establish or to exclude slavery. This right was denied by Calhoun,³³ who insisted that neither the territory nor Congress could do so, that the United States Constitution of itself carried into each territory the right of the Southerners to migrate thither, taking their slaves with them.

Douglas's Oregon Bill was not long before the Senate before, on May 31, Hale moved to amend it by a section to exclude slavery. Calhoun at once said that he was ready to meet the question, while Benton expressed himself in favor of voting down this "pestiferous question," which, "like the frogs of Egypt," intruded itself everywhere.³⁴ The bill was discussed on many days, with any number of proposals, by no means all of which need to be touched upon here. One, however, must be spoken of. Foote of Mississippi had long been trying

³² Those interested in popular sovereignty, will find an instructive article upon the subject by Prof. Allen Johnson in Vol. III of the "Iowa Journal of History and Politics," pp. 3-19. He well intimates that it was in reality a case of spontaneous generation,—a perfectly natural growth from generally accepted American doctrines of popular rights. Smith's words and Leake's upon the subject are quoted by him from the "Congressional Globe," Twenty-ninth Congress, Second Session, pp. 123 and 444. Henry S. Foote ("War of the Rebellion," pp. 71-74) gives some account of the presentation of Dickinson's resolutions.

³³ In his Oregon speech in question, speaking of the claim that the inhabitants had the right to exclude slavery, he said that "of all the positions ever taken, I hold that which claims the power for them to be the most absurd" ("Works," Vol. IV, p. 498); and Foote writes ("War of the Rebellion," pp. 72, 73) that, when Calhoun first saw, early in the session, Dickinson's proposed squatter Sovereignty resolutions, he became much excited and denounced them as worse than the Wilmot Proviso and as containing very dangerous constitutional doctrine.

³⁴ "Congressional Globe," Thirtieth Congress, First Session, pp. 804, 805.

(as were others) to bring about a settlement on the Missouri Compromise Line, and finally it was offered on June 27 by Bright, after a consultation between Polk, Foote, and Bright.³⁵

It was on this same day (June 27) that Calhoun opened the debate,³⁶ making his chief speech upon Oregon and the rights of the States in regard to the territories and of their citizens to migrate thither, carrying slaves and the system of slavery with them. He developed his contention of the equality of the States and that they owned the territories jointly as partners, and, having evidently in view the many concessions upon the subject, which, he insisted, the South had unwisely made in the past, he again showed his fondness in general for forcing the fighting by saying: "I hold the obligation to repel aggression to be not much less solemn, than that of abstaining from making aggression."

The unlimited right of Congress to govern the territories,—and hence to exclude slavery,—is assumed, he said, under the power conferred "to dispose of and make all needful rules and regulations respecting the territory and other property belonging to the United States," but every word in this clause refers to the territories as public lands only, and no general power of legislation is (as the other side contend) conferred by it. If there were, it was quite unnecessary and even absurd for the Convention by another clause to confer exclusive³⁷ legislation on Congress over forts, etc., the sites of which might be purchased in the States, for these latter are property and therefore covered by the first clause quite as much as are the territories.

³⁵ *Ibid.*, pp. 875, 876. Polk tells of the call of Foote and Bright on him on June 27, "Diary," Vol. III, pp. 404, 405. Foote wanted himself to urge the Missouri Compromise Line in 1847-48, but Calhoun strongly disapproved and Foote gave it up. He then found Bright and, when this new effort failed of success, tried very hard to induce Buchanan to take the matter up. This effort also failed, owing to Southern disapproval. Foote's Speech in Senate on June 27, 1850, "Congressional Globe," Thirty-first Congress, First Session (Part II), pp. 987, 988.

³⁶ Letter of July 9, 1848, to his brother-in-law. "Correspondence," p. 759.

³⁷ Calhoun often thought far ahead, and it was probably to forestall a claim of full legislative power over forts, etc., that he soon went on to say that the power of exclusive legislation was not the power of absolute legislation.

But the great point set forth in the speech related to the extension of the Constitution over the territories. He was willing to admit, he said, that the laws of Mexico had forbidden slavery, as it was known in our Southern States, but instantly upon the transfer of the region to us, so he went on, the Mexican laws with the exception of mere municipal ones not inconsistent with ours, became extinct and the law of our constitution took their place. The Mexican law excluded not only slavery but many other kinds of property and the Protestant religion as well, which our Congress itself cannot prohibit, so it is apparent that the doctrine maintained against us leads to absurdities.

In substance he continued :

The Union is in great danger, and the historian of the future will record that the Ordinance of 1787 — which was opposed by the South, until it became a compromise securing the return of fugitive slaves — the Missouri Compromise — which was carried by the almost unanimous vote of the North against the almost unanimous vote of the South ⁸⁸ — and the present agitation are the landmarks in the history. Whether there will be another chapter beyond, we do not know, but the philosopher will find all through the history a more recondite cause in a proposition which originated in a hypothetical truism and which has come to be most false and dangerous,—the proposition now an axiom to so many that “All men are born free and equal.” But men are not born, infants are born. Nor are they born free, but are even incapable of freedom when born.

The Declaration of Independence incorporated this idea in slightly varied language, but the form it contains is equally untrue. The whole idea took its origin in the writings of certain authors very popular early in our history, and then ran that “all men in the state of nature were free and equal,” and this is what I referred to as a hypothetical truism, for man does not and cannot exist in a state of nature. Jefferson has a large share of blame in the origin of this great error, which shuts its eyes to the different capacities of men and races and does not

⁸⁸ This statement, which is of course Calhoun's, was not admitted by others to be correct.

recognize that only the highest and most capable need little government.³⁹

The debate went on for some days, and meanwhile other matters of importance occurred. On July 6 the finally ratified treaty with Mexico was transmitted to Congress with an earnest recommendation to create governments for the new regions, and here was more trouble to be met. Van Buren, too, was nominated at Utica at about this time and early in August the Free Soil Convention at Buffalo also selected him, thus showing the existence of still other disturbing factors.

The next step taken in this quagmire of difficulties was one in which Calhoun had a large hand, and it seemed most promising for a short time. Foote intimates⁴⁰ that, after the Southern leaders had felt some comfort upon the defeat of the Wilmot Proviso in the House at this session, some wanted to make assurance doubly sure by securing from the United States Supreme Court a decision on the territorial question, and that with this end in view they now brought about in the Senate the creation of what is known as the Clayton Compromise Committee.

Whatever may be the degree of truth in this, or whatever other causes may have contributed to the result, a Committee of "eight members, from each party, and two from each division of the party, North and South, selected by their respective sections,"⁴¹ was elected in the Senate on July 13 and to them was referred the pending Oregon bill and amendments,

³⁹ "Works," Vol. IV, pp. 479-512. Calhoun wrote his brother-in-law on July 9 ("Correspondence," p. 759) that most of his friends thought it the best speech he had ever made, and that he was receiving numbers of applications for copies from the North. For his discussion of the subject last treated in the text, see pp. 506-513, also see the same subject treated in his "Disquisition on Government" in "Works," Vol. I, p. 56 *et seq.* Some of the arguments are certainly captious, but one still often hears like ones advanced by those who forget,—as Calhoun neglected,—the surrounding circumstances and the subject matter which was in view. Millions pray devoutly for delivery from sudden death, meaning (as I am told) "unprepared" death, and the strongest are called upon to say that there is no health in them, but criticism of either form of expression would surely be captious.

⁴⁰ Henry S. Foote's "War of the Rebellion," pp. 78, 79.

⁴¹ Calhoun, July 23, 1848, to Thomas G. Clemson, "Correspondence," pp. 759, 760.

and so much of the President's Message as referred to New Mexico and California,³ Clayton of Delaware was Chairman.

The Committee at once found itself involved in a maze of differences, and proposal after proposal was voted down, or fell to the ground by a tie. Finally, when the matter seemed absolutely hopeless, still another plan was broached, to extend the laws over the territories and leave to the judiciary the question of the right to carry slaves into them while the existence, or non-existence, of the system should depend in the end on "the laws of population, or the adaptation of soil, climate and all circumstances to the various kinds of labor." Here was a new idea, thought by some to be based on the Dickinson brand of non-interference, which left the matter to the few squatters in a territory, while Calhoun regarded it, far more accurately, as based on non-interference (*i. e.*, either by Congress or by the territorial authorities), as laid down in his speech on the Oregon Bill, and wrote that it was regarded in Washington as a great triumph on his part.⁴²

The idea evidently quickly carried the Committee but, before any report was made, Calhoun and his friend Elmore, of South Carolina, called on Polk and told him of this plan to leave the question to the judiciary, and seemed to want to sound him or, so Polk thought, to extract a pledge that Southern men would be appointed to the responsible places in the Southern territories. Polk did not quite give the pledge, and the matter was delayed by Northern members' insisting on a right of appeal in such case from the territorial courts to the Supreme Court of the United States. To this Calhoun at first objected, Polk writes, but soon yielded, and the Committee accordingly re-

⁴² Calhoun, July 23, 1848, to Thomas G. Clemson, "Correspondence," pp. 759, 760. In reporting the bill, Clayton gave some account of the proceedings of the committee ("Congressional Globe," Thirtieth Congress, First Session, p. 950), which is the source of the quotation in the text. The representatives of the two sections were evidently acting *extra* the Constitution in preparing this bill, and seem to have entered into some agreement that their respective sections would abide by and accept as conclusive the intended decision. See Jefferson Davis's "Reply" of May 16 and 17, 1860, in the Senate to Douglas, Pamphlet in Historical Society of Pennsylvania, p. 3, and Henry S. Foote's "War of the Rebellion," pp. 79-81.

ported on July 18 one bill to organize Oregon, California, and New Mexico.⁴³

The report was made with a good deal of flourish, and evidently great hopes were built on the measure. Calhoun thought it had a fair prospect of passing by a large majority, and wrote his son-in-law that he hoped it would "permanently settle this vexed and dangerous question,"⁴⁴ thus in an entirely private letter showing again his desire to save the Union. But the "vexed question" would not down by any such device, and the flames were soon once more leaping to the skies.

The bill was to all appearance of Southern origin, and whether it originated in Calhoun's brain or not, had at least his strong countenance and was based on his ideas of non-interference and of the extension of the Constitution of the United States to the region concerned, so as to carry there its recognition of slavery. Benton writes that Calhoun's "solicitude for it was excessive," and tells us (what the text of course bears out) that it contained in its 35th clause words specifically extending to Oregon the Constitution of the United States. No one, he adds, hinted at this provision in the debate, nor did any one know it was contained in the bill, except those who put it there.⁴⁵ We shall find the same idea of extending the Constitution come up again at the next session and lead to a well-known colloquy of Webster with Calhoun.

There was a long contest over the measure in the Senate and an all-night session, with at one time but one Senator present in his seat, while others slept on sofas and in various parts of

⁴³ Polk's "Diary," Vol. III, pp. 19-23. The bill validated the laws of Oregon, which excluded slavery, excepting as they might be found not authorized by the Constitution, and prohibited the Legislatures of California and New Mexico from passing laws relating to slavery and also provided for the intended judicial decision.

⁴⁴ Letter of July 23, 1848, to Thomas G. Clemson, "Correspondence," pp. 759, 760.

⁴⁵ Benton's "Examination of the Dred Scott Case," pp. 12-14, 117-19. The bill, as it passed the Senate, can be found in "Congressional Globe," Thirtieth Congress, First Session, pp. 1002-1005. Benton tells us that bills to establish a territory usually contain in some clause a provision to extend to them certain Acts of Congress, while in this one "the Constitution and laws of the United States . . . so far as . . . applicable" were so extended.

the lobby, only to be aroused in case of need to come in to vote against motions to adjourn. The end was that the bill passed by 33 to 22, Calhoun of course among the Ayes; and then at once "at seven minutes before 8 A. M., after a continuous session of twenty-one hours, the Senate adjourned."⁴⁶

But the measure, on which such high hopes had been founded, met with scant courtesy in the House, where it was at once tabled,⁴⁷ and a bill of their own, relating to Oregon only and prohibiting slavery, was passed in a few days and sent up to the Senate. This was of course gall and wormwood to the South, because of the exercise of a power by Congress to legislate on the subject of slavery in the territories. The Senate Committee on Territories proposed to soften it by the addition of an explanatory amendment reading "inasmuch" as the region was north of the Missouri Compromise line.

There was some debate, and Calhoun again spoke.⁴⁸ He said he should vote against the amendment, because it was equivocal and guaranteed nothing to the South in regard to New Mexico and California. Nor would he vote for the bill, even if it contained an express assurance to the South as to those territories, because that would be an admission of the right of Congress. He might, however, acquiesce in the spirit of harmony and from a cherished regard for the Union, if such a compromise were offered by the North. And at a later part of his speech he said⁴⁹ "it was not necessary for him to assert now his regard for the Union. His whole life was sufficiently known. His time, his mind, and all his energies had been given to it, and he made a solemn appeal to the

⁴⁶ "Congressional Globe," Thirtieth Congress, First Session, pp. 987-989, 992, 996-999, 1001-1005. Polk wrote on the day of the passage of the bill that an all-night session in the Senate was unprecedented, "Diary," Vol. IV, p. 31.

⁴⁷ Foote writes that Stephens and Toombs largely brought about this action, and thinks they feared the intended judicial decision would be adverse to the South, "War of the Rebellion," p. 80.

⁴⁸ "Congressional Globe," Thirtieth Congress, First Session, p. 1060 or "Works," Vol. IV, pp. 512-35. The speech in the two places differs greatly, but seems to be but different reports with much omitted from the "Globe." In the "Works," the speech is printed as having been delivered on August 12, 1849, when Congress was not even sitting.

⁴⁹ The words which I quote are from the "Globe" and are not in the "Works," though probably the same idea is contained on p. 531.

Senate not, by their own hands, to destroy this glorious fabric of our constitution."

He touched other points, too, and told the Senate, as he had in effect done for years, that the agitation against slavery, so dangerous to the Union, was the result of the belief of a few people that they were morally responsible for its existence in the country, and that this belief had originated from the growth of centralization and such measures as Jackson's Proclamation in 1833 and the Force Bill. The repeated refusals of the North to carry out the constitutional agreements as to slavery, and the movements made to abolish it in the District and doubtless soon in all our forts and arsenals, were also noticed and his hearers told that the Union was in great danger. The South, he said, has in all this long history made one concession after another as to vital points, but must now defend herself.

The amendment of the Committee adding in explanation of the House bill the words "inasmuch" as the region concerned was north of the line of the Missouri Compromise was defeated by 2 to 52; and then, at once, probably in response to what Calhoun had said that he,—and of course the South,—would acquiesce in, Douglas moved an amendment to carry the parallel of 36° 30' to the Pacific "to be in full force and binding for the future organization of the territories of the United States," and this was carried by 33 to 21 and the bill ordered engrossed by 33 to 22 and passed.

Calhoun voted, as he had intimated he should do, for the amendment but against the bill, and was of course accused of over-refinement. Possibly his reasons were a little tenuous, but he was strongly opposed to admitting any power in Congress over the subject and at the same time, if the bill was to pass, he naturally wanted to mould it into as favorable a shape as possible. This has been done by thousands of legislators on tariff-bills and other measures.⁵⁰

But the end was not yet reached in this long and losing fight

⁵⁰ Journal of the Senate (First Session, Thirtieth Congress), pp. 562-564, also see "Congressional Globe," pp. 1060-1062. It is impossible to understand the matter from the "Globe" alone, and this has led some writers to say that the committee's amendment with its explanatory "inasmuch" was carried.

of the South. The House refused to agree to the amendment extending for the future the Missouri Compromise line to the Pacific, and the bill was sent back to the Senate still as a bare measure to organize Oregon with a prohibition of slavery and without a syllable as to the Missouri Compromise.

Once more there was a bitter contest in the upper branch as the South struggled against fate, while the North sought with the hardy persistence belonging to its people to pass the bill in the shape in which it stood. Again, on this occasion as so often before, Calhoun and Benton were in angry collision, as the latter, who had supported the Clayton Compromise and later the extension to the Pacific of the historic Missouri line, now broke away and supported the bill as it came from the House,—all in the effort to settle the matter in some way and to give Oregon a government.

At one time, when Benton moved that the Senate recede from its amendment and thus approve the House bill with the restriction as to slavery, Calhoun broke out:

The great strife between the North and South is ended. The North is determined to exclude the property of the slaveholder and of course the slaveholder himself, from its territory. . . . The separation of the North and the South is completed.

And when to this he added some palpable threats that the matter involved the continuance of the Union, Benton replied that all this talk of disunion was idle and like

"A tale,
Told by an idiot, full of sound and fury,
Signifying nothing."⁵¹

Finally, at about 10 A. M. of Sunday, August 13, after having again been in session all night, the Senate receded from its amendment on Benton's motion, and the House bill was passed in precisely the form in which that branch had sent it up, with the clause excluding slavery. Still another contest upon the subject arose the next day, when it became necessary to suspend the rule forbidding the sending of bills to the Pres-

⁵¹ "Congressional Globe," Thirtieth Congress, First Session, pp. 1074-1076; Polk's "Diary," Vol. IV, pp. 69-76.

ident on the last day of the session, but this was also accomplished, in spite of the opposition of Calhoun and others. The South was defeated at all points, and the evidence of the growing power of the forces arrayed against them was very bitter medicine.⁵²

The bill was then sent to the President, who was so strongly opposed to any provision for the general exclusion of slavery that he had for some days discussed with the Cabinet what he should do with the bill, if it reached him. Calhoun called on him, too, and at first urged a veto but in the end,—so difficult and doubtful was the situation,—wanted him merely to sign without reasons. Polk adhered to his own plan and signed the bill with an addition that his reason for so doing was that the region concerned lay north of $36^{\circ} 30'$.⁵³ Oregon had at length a government and had ceased to be the shuttlecock of combatants engaged in a struggle in which she had really no interest.

Perhaps, a few words should be added here in regard to the contention of Calhoun and the South that they had a right to migrate to the territories with slaves, and to be protected by the laws in their possession of the latter. It was derived by them from the Constitution, which, according to this contention, carried slavery into any new possession, even in the teeth of a law prohibiting it, passed by the old sovereignty owning the region. Benton called this supposed function of the Constitution its "migratory function" and insisted that it was merely a "vagary of a diseased imagination." If the language be strong and reeking with partisan feeling, it must at least be admitted that the doctrine was far-fetched and smacks of mid-night groping after reasons to defend a pre-determined course.

How could such a system be worked out in its details without one line of written law to direct the mode of recovery of an escaped or stolen slave and to regulate the devolution of

⁵² "Congressional Globe," Thirtieth Congress, First Session, pp. 1078-1085.

⁵³ Polk's "Diary," Vol. IV, pp. 61, 62, 65, 69-76. For Polk's statement of his reasons for approving the bill, see "Congressional Globe," Thirtieth Congress, First Session, pp. 1080, 1081.

property in slaves, and the thousand other incidents of so unusual a property,⁵⁴—all differing more or less in the various States? And as to the contention that, because the States were equal partners in a joint venture, the citizens of all had a right to go to each territory and carry with him (if he would) the system of slavery, it was certainly no *constitutional* right but at most a claim that in justice or morals he should not be denied the right to do so.

Perhaps it was in this sense an argument of weight,—of great weight,—but the opponents met it (as they thought) by other moral arguments of greater weight and denied that there was any constitutional right. The truth is that those who wrote the constitution never dreamed of the question on this point that was destined to arise, and neither their language nor the surrounding basic principles in any sense covered it.

The discussion seems then to have been one more of those, of which several have been referred to in this book, where the human mind, in debating supposed rights or duties under the constitution or other rules of moral conduct or of justice, easily runs off into a hopeless maze of confusion, and we come to think that what seems just and fair is a fixed right guaranteed by the sacred obligation that belongs to a constitution.

The doctrine here concerned seems to have originated largely in Calhoun's fertile brain, but it is curious and should in justice to him not be forgotten that the same claim had been clearly advanced in Georgia more than ten years earlier, before the question of later days had even arisen. The Legislature of that State passed resolutions in 1835 upon the subject of slavery in general, one of which read:

⁵⁴Calhoun had thought of these details, it seems, as he did of nearly everything. He wrote that the subject of slavery did not fall within the province of Congress, "except to pass such acts as may aid in carrying out the compromises of the constitution in reference to it, including the delivery of fugitive slaves and the apportionment of direct taxes, and of representation in the House of Representatives, and to secure the just equality of the citizens in all places where it has exclusive jurisdiction in reference to all subjects falling within its jurisdiction. It can make no discrimination between the citizens of one State and another on account of their local institutions or from any other cause." Letter of November 16, 1848, to Hon. Laurel Summers, of Iowa ("Annals of Iowa," Third Series, Vol. II, p. 235).

Resolved, that the District of Columbia and the several Territories of the United States are the common property of the people of these States; that the right of exclusive legislation in the former, and the power to make all needful rules and regulations for the government of the latter, which are vested in the Congress of the United States, are derived from the Constitution, which recognizes and guarantees the rights resulting from domestic slavery; and that any interference by that body with those rights will be unauthorized by and contrary to the spirit of that sacred charter of American Liberty.⁵⁵

With the final passage of the Oregon Bill, the First Session of the Thirtieth Congress came to an end, and the South found itself hopelessly defeated on a matter which,—though in one sense the result was fully to be expected, for slavery was impossible in Oregon,—yet showed with startling distinctness their waning power, and pointed only too clearly to what was to be the result in the end.

The Charleston *Mercury*⁵⁶ wrote bitterly of "The Defeat of the South," and at a public meeting in Charleston, on August 19,⁵⁷ Butler, Burt, and Calhoun spoke in this order. The two first recounted the proceedings in Congress, more with sorrow and anxiety than with tropical passion, Butler saying in words that he was no disunionist, while Calhoun confined himself chiefly to the pending Presidential contest between Cass and Taylor but failed to make clear his own intentions and wishes in the matter, though he seemed perhaps to intimate a preference for Taylor.

The burden of what he said was that they should rather keep aloof from that contest, in order to be united for the next session's struggle in regard to California and New Mexico. If worsted then, "as there is great probability we will be," so he told his hearers, we have nothing to expect from the federal government. It was a serious moment, with the doom

⁵⁵ "Georgia and State Rights," by Ulrich B. Phillips, in "Report of American Historical Association," 1901, Vol. II, pp. 160, 161.

⁵⁶ Issue of August 17, 1848.

⁵⁷ *Ibid.*, August 22, 1848. Calhoun was ere long criticized by some writers in the "Mercury" for his enigmatical expressions as to the Presidency, but the paper defended him. Issues of September 5, 14, 15 and 16.

of ruin seeming to hang menacingly over them and that ever waning system of slavery which they had inherited from a long past, and at this very time their great leader's health was evidently failing. Perhaps this was the reason why he spoke last and at no length, leaving to younger men the burden that neither his throat nor his strength in general could longer bear.

A meeting was also held in Charleston on October 31, by the "Democratic-Taylor" party and advocated the general Southern doctrines as to slavery and the territories, and showed, too, an evident desire for the calling of a Southern Convention. Wm. Gilmore Simms was active in this meeting, and it met the approval of Hammond, too; but Calhoun had, so far as appears, no part in it. He could hardly be expected to come out openly for the Whig candidate.⁵⁸

The second Session of the Thirtieth Congress met on December 4, 1848, and Calhoun took his seat on the 12th. He had stopped at Columbia for a few days, where, the *Mercury*⁵⁹ tells us, he was visited by many friends, who were pleased to see his "mental and physical vigor." But this was clearly too roseate a view. He was by this time breaking with age and disease, but perhaps the impression of health was left on some by the lustrous eyes, which seem to have shone forth with their old-time fire till near the day of his death.

At this session, his almost life-long desire to curb the growth of Federal activity appeared in two matters having no relation to slavery; and he had here the support of several men,—Benton for one,—who were by this time in general far apart from him. The Census Bill proposed a further extension of the subjects to be inquired into, but Calhoun objected that the Constitution requires a census, a mere enumeration; "but we have carried it from minutia to minutia, down, down, down, until we have come to the price of labor and all that. Why are we

⁵⁸ "Mercury," November 2, 1848. Hammond, Nov. 17, 1848, to W. G. Simms in Library of Congress, Hammond was here once more bitter as to Calhoun and, eager though he was for a Southern Convention, did not think it advisable that that measure should be urged in South Carolina.

⁵⁹ Issue of December 8, 1848, quoting the Columbia "Telegraph."

to collect all these statistics? Is it to supersede the labor of the States? Are not the States competent to take their own census, and manage their own affairs? Why not leave it to them?"⁶⁰

And a few days later, when a bill to establish the Interior Department was pending, he said that the name was ominous, because the Government had been created to take charge of our exterior relations. Why is the business of the Departments so great as to swamp them, except that their functions have been so improperly increased? But both the census bill and this one passed easily, and such has been the growth of federal power since then that the modern world can hardly realize the state of mind of the many statesmen of our earlier formative period, who opposed this tendency. Had they permanently succeeded in their opposition, the vast American Empire of to-day would, for good or for ill, have been impossible.⁶¹

Perhaps one event of the prior session may be mentioned here. Calhoun was not what our newspapers call "the watchdog of the treasury," but he did his share of work in the matter, and was persistently opposed to schemes to bleed the Government. He is said⁶² to have been always present on private bill day,—when these plans bloom forth luxuriant and often in most innocent garb,—and he more than once opposed that pet form of waste, which consisted in sending masses of books to all Congressmen,—who then, as a matter of fact, often turned round and sold them.⁶³

Early in the session of 1847-48, one of these donations was pending and Calhoun said he had steadily voted against such measures, but had had to take the books; for what else could he do? He had never received "five dollars' advantage from them since the first day they encumbered the shelves of my library." Last year, two large boxes, still to-day unpacked,

⁶⁰ "Congressional Globe," Thirtieth Congress, Second Session, pp. 627-629, 668, 669.

⁶¹ *Ibid.*, pp. 672, 673, 676, 780.

⁶² By Senator Bradbury, in letter in the "Gulf States Historical Magazine," Vol. I, p. 284.

⁶³ Benton distinctly so charged, as if it were a matter of notoriety, "Congressional Globe," Twenty-fifth Congress, Third Session, pp. 237, 238, 246-48.

had reached him, he said, when he did not even know that such a resolution had been passed.⁶⁴ Probably the pending one also passed, but it is an error to suppose that this fact shows the opposition to have been useless. It is a thankless task, but serves as a curb on what might well otherwise grow to be an abuse of gross proportions.

The bitter contest in regard to New Mexico and California, which Calhoun had expected at this second session, did not arise, but there were two instances in which slavery again intruded itself. Early in the session, the great Missouri Senator presented a petition, alleging itself to be from the people of New Mexico and saying that the inhabitants of that territory did not desire domestic slavery. Calhoun was up in arms at once, denouncing the petition as "a most insolent one," and in a lengthy dispute with Benton insisted upon his charge, saying: "The territory belongs to us,— to the United States. It belongs to the States of South Carolina and Virginia as much as it does to New York and Massachusetts." The petition was soon received and ordered printed, and the incident is chiefly noteworthy as showing how keen Calhoun was to guard the interests of the South in the contest that he deemed vital to her welfare.⁶⁵

The second instance was of more importance. Bills were already pending to organize the territories; but instead of attempting to alter these, an effort was made to amend the chief appropriation bill for the support of the Government by the insertion of an amendment, then thought vital, in regard to the question of slavery in the territories. This was offered on February 19 by Isaac P. Walker of Wisconsin, but was largely of Southern origin. Walker was a new member,— evidently of ability,— and said that his amendment was offered "after consultation with many friends, and particularly with" Foote of Mississippi. Westcott of Florida was one of these many friends, but there is nothing to show that Calhoun had been advised with, though there can be little doubt of the fact.⁶⁶

⁶⁴ "Congressional Globe," Thirtieth Congress, First Session, p. 231.

⁶⁵ *Ibid.*, Second Session, pp. 33-37.

⁶⁶ "Congressional Globe," Thirtieth Congress, Second Session, p. 561; *ibid.*, "Appendix," p. 286.

The amendment was changed more than once with Walker's consent, but the portion mainly discussed and of importance to us here was the already mentioned extension of the constitution to the territories, which Benton says was here for the first time *revealed*. The words had already been contained in the Clayton Compromise Bill, but apparently their presence had then been known only to its framers. In this case, a motion to insert them had to be openly made, and the matter by no means escaped attention.

Quite an extended debate grew up and was taken part in by a number of members, but toward the end Webster threw his vast weight against the proposal, insisting that the idea was impossible and that the constitution did not and could not extend to the territories.

"If Cuba became ours," he asked, "does any one suppose that the *habeas corpus* and trial by jury would be established in it by the mere act of cession?"

Calhoun then took the floor to defend what was, beyond doubt, in the main his conception, and insisted that as to this matter

"The Constitution interprets itself. It pronounces itself to be the supreme law of the land."

And when Webster's keen insight told him there was something wrong here and he asked:

"What land?"

Calhoun answered:

"The land,—the territories of the United States are a part of the land. It is the supreme law, not within the limits of the States of this Union merely, but wherever our flag flies—wherever our authority goes, the Constitution, in part, goes,—not all its provisions certainly, but all its suitable provisions. . . . If the Constitution does not go there, how are we to have any authority or jurisdiction whatever?"

Webster agreed from the start that certain fundamental provisions of the Constitution extended to the territories, but cited, on the opposite side, the character of the governments in them, the status of trial by jury and of the judiciary, and the settlement of land titles,—all varying widely from the pro-

visions of the Constitution, and in regard to at least some of which there had been judicial decisions that the Constitution did not extend to the territories.⁶⁷

The discussion turned in its latter part largely into a case of mere verbal fencing for position. It is, of course, clear that a Congress, which is specifically prohibited from granting a title of nobility or establishing a religion can do neither of these things in a territory or the veriest colony, but there is a vast void between this and the establishment of slavery in a territory where it did not exist before by a mere statute extending the Constitution to the region.

Nor did the contestants apparently remember that down to the last few days of the Convention, the expression *supreme law of the land* was not to be found. The clause long read "*supreme law of the respective States*," from which the conclusion sought as to the territories could hardly have been drawn. And this language was only altered to its present form by the Committee on Style and Arrangement, whose report was presented but five days before final adjournment and whose functions did not extend to making changes of substance.⁶⁸

Walker's amendment passed the Senate, but the result in the end was that, as the House absolutely refused to concur in the amendment, and as the failure of the appropriation bill would have left the Government without funds, the Senate was compelled to yield. It accordingly receded from its amendment at about 4 A. M. of March 4, and the bill was then finally passed without the amendment and received the signatures of the

⁶⁷ "Congressional Globe," Thirtieth Congress, Second Session, pp. 561, 573, 664, 665, 682, 691. *Ibid.*, appendix, 253, 255-309. The discussion between Calhoun and Webster is to be found at "Appendix," pp. 273, 274, or in Calhoun's "Works," Vol. IV, pp. 535-542; Benton's "Examination of the Dred Scott Case," "Introduction," pp. 12-17, and "Appendix," p. 133.

⁶⁸ "The Growth of the Constitution," by William M. Meigs, pp. 281-287. In his "Discourse on the Constitution," etc., pp. 256, 257, Calhoun contends that the express purpose of the change was to make the Constitution extend to the territories as well as to the States. But this view is surely of little weight. The Committee on Style was simply exercising its special function and hence cut out an awkward expression, substituting it by a graceful historic phrase known in Anglo-Saxon law since at least the time of Magna Charta. The "Discourse" is very unfinished and full of signs of its author's failing health.

proper officers of the two houses, barely before the final adjournment.⁶⁹

Another great contest of the time centred about the Southern Address, and in regard to it Calhoun was again the leader. More than once during the course of the slavery disputes, he or other Southerners had urged the South to unite in some way for defense, but all these efforts had come to naught for one reason or another, and several of them because Calhoun had exerted his great power to suppress them. As early as 1835 he had wanted a Convention of the Southern States called, but the other leaders in South Carolina were opposed.⁷⁰ A Southern Convention had also been recommended in the *Crisis* in that same year,⁷¹ and curiously enough the Unionists of South Carolina had, during the Nullification contest, urged this plan in 1832 and had thus been the originators of the scheme.⁷²

Again, at the time of the Bluffton movement in 1844, the calling of such a body was strongly recommended, and Rhett had in that spring striven to get the Southern Members of Congress to unite in an address, but this effort as well as the Bluffton movement was suppressed by Calhoun.⁷³ But in a very few years the circumstances had changed greatly, and in 1847, after the appearance of the Wilmot proviso, he himself prepared an address to be signed by the members of the Southern delegation, but it seems to have been too late and the plan fell through.⁷⁴ The contents of the intended address have never leaked out.

According to Benton, a similar effort was made by a close friend of Calhoun in August, 1848, about the time of the passage of the Oregon bill, and a couple of months later (October

⁶⁹ The Journal of the Senate, Thirtieth Congress, Second Session, pp. 241, 263, 325, 330, 331, 333. Journal of the House for same, pp. 600, 636, 637, 639, 644, 645, 647, 671.

⁷⁰ *Ante*, Vol. II, p. 145.

⁷¹ *Ante*, Vol. II, p. 132.

⁷² *Ante*, Vol. I, pp. 450-451.

⁷³ *Ante*, Vol. II, pp. 250-254, 356.

⁷⁴ Polk heard of this plan, and denounces Calhoun for it, "Diary," Vol. II, pp. 475-479. Duff Green knew of it also, and wrote Crallé in regard to it. Letter of March 5, 1847, in the Duff Green papers in Library of Congress or in "Calhoun as Seen by his Political Friends," in "Southern History Association Publications," Vol. VII, p. 424.

31, 1848) the Democratic-Taylor party of South Carolina at its meeting in Charleston resolved in favor of a Southern Convention.⁷⁵

Finally, at the session of 1848-49, the agitation and excitement had gone far enough to result in the issuance of the famous Southern Address. Slavery in the District of Columbia had more than once been a bone of contention, and on December 11, 1848, Gott, who represented a strong anti-slavery district in New York, offered a resolution to instruct the proper committee to bring in a bill to prohibit the slave-trade in the District. This passed on the 21st by 98 to 88,⁷⁶ and at once there was great excitement among the Southern members. A paper calling for a meeting of the Southern delegates the next evening in the Senate Chamber was at once circulated by Foote and Hunter⁷⁷ and probably others, and accordingly on the evening of December 23rd, 69 members came together to consult in regard to what they should do.

A special committee consisting of one from each slave State was appointed to draw an address to the people of the Southern States, and the fifteen members thus selected chose a sub-committee of five to take the matter into consideration. Calhoun was on both these committees and was the chairman of the second. According to Benton,⁷⁸ at the first meeting of the sub-committee he produced the address already written,

⁷⁵ Benton's Speech at Fayette, Howard Co., Mo., on September 1, 1849, p. 161. The Charleston "Mercury," November 1, 1848.

⁷⁶ G. P. Garrison's "Westward Extension," p. 310. About a month later this vote was reconsidered, and the resolution "disappeared in list on calendar," *ibid.*, "Congressional Globe," Thirtieth Congress, Second Session, pp. 83, 84, 105-108, 210-216. Not long after this reconsideration, on January 22, 1849, Dix presented resolutions of the New York Legislature, one clause of which included Gott's idea and also went much further. *Ibid.*, p. 309.

⁷⁷ Foote so states in his speech of June 18th, 1850, in the Senate. "Congressional Globe," Thirty-first Congress, First Session, "Appendix," Part 2, p. 1390.

⁷⁸ "Thirty Years' View," Vol. II, p. 733. Benton, as a Senator from a slave State, was of course invited to attend, but persistently refused. He was, however, kept pretty well informed of the proceedings, and gives interesting accounts of what he heard, in the "Thirty Years' View," as above, and also in his speech at Fayette on September 1, 1849 (Pamphlet in the Library Co. of Philadelphia, pp. 9-16). It is likely that his informant was Morehead of Kentucky, see F. P. Blair, January 6, 1849, to Van Buren, in Library of Congress.

which F. B. Blair⁷⁹ was told by a member was "extremely moderate in manner, able as art can make it, and adapted with great skill to excite deep sectional feeling and embody the slaveholders and their dependents in a phalanx in this new conspiracy against the Union." Some effort was made at this early stage to crush the whole proceeding and a motion that it was inexpedient to issue any address was only lost by 7 to 8, but the final result was that Calhoun was directed to report his address to a meeting of the Southern members on January 15.

The Whigs of the South were in a difficult position in the matter. It seems⁸⁰ that they looked upon the plan as designed to disorganize them and either to destroy Taylor in advance or compel him to throw himself with a section of the Democrats. Toombs wrote Crittenden that they found a large number of their friends would "go into the miserable contrivance" and then reached the conclusion to attend with the aim of controlling the movement,—an effort in which they had no small measure of success.

At the meeting of the Southern members on January 15, there were 88 present, and according to Toombs, there was "a regular flare-up." The published proceedings, too, show that on that evening Houston moved that reporters be admitted and secured 36 votes against 52, while Clayton's motion to lay the whole matter on the table and that of Stephens to adjourn *sine die* were both supported by about one-third of the members.

Perhaps worse than this, Calhoun agreed,—presumably from an evident necessity to do so,—to "modifications which would not impair the truth of the narrative or materially change the character of the address," and quite a clause relating to the

⁷⁹ F. B. Blair, January 11, 1849 (misdated 1848), to Van Buren, in Library of Congress.

⁸⁰ Robert Toombs to John J. Crittenden, January 3, 1849 (but misdated in the original and corrected by the editor on what are evidently sufficient grounds), and same to same January 22, 1849, in "The Correspondence of Robert Toombs, Alexander H. Stephens and Howell Cobb," by Ulrich B. Phillips (Annual Report of the American Historical Association for 1911, Vol. II, pp. 139-142). The idea that partisan politics led to the call of the "Southern Caucus," as it was often called, was a strange one to be held by Toombs. Calhoun and his friends had got far beyond any such influence in this matter.

Oregon bill was then struck out and substituted by milder language, and two others declaring that under certain circumstances it was for the North "to calculate the value of the Union," were cancelled, in addition to other minor changes. And even then the "Southern Caucus" was still so highly dissatisfied that a motion of Berrien to re-commit the address was carried by 41 to 40, with Calhoun's voice of course in the negative.

All this is beyond doubt and is, more than likely, even colored in low tone by those who controlled the organization of the body, for it is official and of course devoid of the flashes of fire often incident to debate. Two authorities give some account of this other side of the matter, so important in history, although so evanescent. Benton said ⁸¹ that Houston's motion to admit reporters was coupled with a statement that he made it in order that the people of the United States might learn what was going on. Benton said, too, that Morehead submitted and spoke for a resolution that the Union was indispensable, and being "heckled,"—according to modern phrase,—by Foote with the question, among others, whether he would not be for disunion if the Wilmot proviso were passed, answered: "No, so help me God, never." Thereupon, adds Benton, there was "thundering applause."

Evidently at about this time Calhoun said to Morehead that he was for the Union; "but if that could not be preserved, he was for taking care of the South"; and added that, if Morehead called for a vote on his resolutions, he should move to amend by a clause "that disunion was preferable to emancipation in the States." Neither Morehead's nor Calhoun's proposal (still according to Benton) was brought to a vote, but Morehead's was referred to a committee, and there slept.

There is much partisanship in all this from the great Missouri Senator, who had long ere this come to hate Calhoun with a bitter hatred and had made up his mind that nothing under any conceivable circumstances could justify even a breath against the Union; but we may probably accept in the main the following account from Toombs of the doings at this

⁸¹ Speech at Fayette, pp. 11-14.

meeting of January 15. On January 22nd he wrote to Crittenden:⁸²

We have completely foiled Calhoun in his miserable attempt to form a Southern party. . . . We had a regular flare-up in the last meeting, and at the call of Calhoun I told them briefly what we were at. I told him that the Union of the South was neither possible nor desirable until we were ready to dissolve the Union; . . . that we did not expect an administration which we had brought into power would do any act or permit any act to be done which it would become necessary for our safety to rebel at; . . . and that we intended to stand by the government until it committed an overt act of aggression upon our rights, which neither we nor the country ever expected. We then by a vote of 42 to 44⁸³ voted to re-commit his report (we had before this tried to kill it directly but failed). We hear the committee have whittled it down to a weak milk and water address to the whole Union. We are opposed to any address whatever, but the Democrats will probably outvote us tonight and put forth the one reported: but it will not get more than two or three Whig names.

Beyond question, this meeting had been a bad setback for Calhoun and the other supporters of the movement, and Polk wrote⁸⁴ that when Calhoun called the next day and they had a general conversation about the matters involved, he was much excited. But even yet the struggle was not over, nor were the defeats of those who at least sincerely thought that they represented the South. At the meeting of the Select Committee of 15 on January 18th, a motion of Berrien to change the title of the address to an address to the people of the United States was carried by 7 to 4, and then the address was referred, again on Berrien's motion, by the same vote to a new sub-committee of five. This sub-committee was directed to report to the Special Committee at an adjourned meeting of the latter on the 20th, and it reported on that day not Cal-

⁸² "Correspondence of Toombs" *et al*, as above, pp. 140-142. In the evening of the day of this letter the last meeting was held, and its action largely bore out Toombs's expectations.

⁸³ *Sic* in the printed letter of Toombs, but the published proceedings report the motion carried by 41 to 40.

⁸⁴ "Diary," Vol. II, pp. 285, 286.

houn's Address but a much milder one which had been prepared by Berrien.⁸⁵ And this address was then ordered to be reported to the general meeting as a substitute for Calhoun's.

The general body or "Southern Caucus" met again, and for the last time, on the evening of January 22. Calhoun was absent,⁸⁶ owing to one of his now so frequent attacks of sickness, and the votes show that there were still over 60 members attending.⁸⁷ Berrien's substitute for Calhoun's address was read and debated at some length and various excited motions were lost; and then a motion to substitute it for Calhoun's failed by the rather close vote of 27 to 34 and Calhoun's was adopted by 42 to 17. It was resolved that the journals should be published and that the Address should be left for signature and only be made public upon the vote of those signing. The body then adjourned, it seems, after 1 A. M.⁸⁸ The meetings had all been held in the Senate Chamber.

The vote not to print until the signers should so direct was evidently a means of bringing in the hesitating, and again at this late stage one amendment of moment (besides minor ones) was made, softening the language so as to meet objections. The opening sentence, in referring to the Northern aggressions on slavery, spoke of the present issue as the most important ever presented for the consideration of the South, "not excepting the declaration, which separated you and the other united colonies from the parent country. That involved your independence; but this your all, not excepting your safety." These words were cancelled, again with Calhoun's consent.

⁸⁵ Berrien's address incorporated a good deal of Calhoun's, but parts were quite new, and the language was softened in many places. "We make no sectional appeal," it said; but fell little short of Calhoun in narrating the refusal of the North to carry out the provisions in regard to slavery.

⁸⁶ The Washington "Union," January 24, 1849.

⁸⁷ The "Union" of January 24 says that those present who were opposed to any action did not vote.

⁸⁸ The Philadelphia "Public Ledger," January 24, 1849. The general authorities, in addition to those specially referred to, are Calhoun's "Works," Vol. VI, pp. 285-313; The Washington "Union" for January, 1849, and particularly for January 16, 24, and 28,—on which last-named date the proceedings at length are published, including Berrien's address and the one adopted.

Forty-eight members signed, who were all Democrats except Gayle of Alabama and Tompkins of Mississippi, who were Whigs. The Southern delegation (Delaware excluded) contained 118 members, and as many as 88 had been present at one meeting, so that the desired unanimity was far from being secured. The Whigs had nearly all withdrawn before the final proceedings. As altered,—and in the end agreed to,—the address was published in the *Washington Union* of January 28, together with Berrien's draft and the proceedings in general, and, as some questions were raised in regard to the reasons of members, it was published in the same journal of February 4 in the form in which Calhoun had drawn it and in which it had been reported to the general meeting of January 15th.

The "Southern Address" related entirely to the contests between the two sections of the country growing out of slavery and of course presented the matter from the Southern point of view. Beyond question it was, as Benton had been told, "able as art can make it." The plain constitutional agreement to return fugitive slaves was quoted and the statement added that without it the Southern States would certainly never have ratified the instrument, and then the flat refusal of the North to carry out this solemn stipulation and the many laws passed to render it nugatory were touched upon, and the result said to be that "the attempt to recover a slave, in most of the Northern States, cannot now be made without the hazard of insult, heavy pecuniary loss, imprisonment, and even of life itself." A recent case of death in the effort was cited, and the conclusion was, "We doubt, taking all together, whether a more flagrant breach of faith is to be found on record."

Much of the history of the contests was skillfully condensed within the limits of a rather short paper, and the steady growth of the efforts traced down to the many proposals made at that session of Congress, one of which looked to the abolition of slavery in the District and even to the giving of the franchise to free negroes and slaves on this very question. Destruction of the most vital interest of the South faces us, so the Address went on, for these efforts, if unchecked, can but lead to emancipation. Indeed, that result would probably

come in time, without any definite law upon the subject, from the growth of a feeling inconsistent with the existing relation between the two races.

Nor would the matter end here, but another step would be taken and the right to vote and hold office be conferred on the negroes, in order to raise them to a political and social equality with their former owners. The result of this would quickly be that they would unite politically with the North and hold the South in subjection. We would change places with them, unless we should flee from our old homes. Our union in self-defense is absolutely necessary to prevent this dire result.

Calhoun and his supporters had had a hard task, but if we can only realize the circumstances under which Southerners grew up,—with slavery a part and parcel of their civilization and with the infinite dangers of getting rid of it staring them in the face,—we need not wonder that the authors of the address soon saluted it as “the second Declaration of Independence,”⁸⁹ nor that it found a wide echo in the hearts of thousands throughout the Southern States. In South Carolina, “the Response of Charleston,”⁹⁰ in the end of February, was followed within two or three months by like meetings and resolutions⁹¹ in Barnwell, Colleton, Camden, Sumter, Lexington, Abbeville, Laurens, York, Marlboro, Union, Spartansburg, Beaufort, Williamsburg, and still other districts. And the same “Southern Movement,” as the *Mercury* called it, found expression also in Maryland, Virginia, Georgia, Alabama, Florida, Kentucky, and Tennessee, in large and almost unanimous meetings.⁹²

⁸⁹ Benton's “Thirty Years' View,” Vol. II, p. 734.

⁹⁰ The Charleston “*Mercury*,” February 28, 1849, contains an account of this meeting, which was held in the City Hall in reply to the “Southern Address.” The resolutions declared in favor of determined resistance at all hazards and to the last extremity, and, in case either of the abolition of slavery or the slave-trade in the District of Columbia, in favor of convening the Legislature, “to consider the mode and measure of redress.”

⁹¹ *Ibid.*, *passim*, March and April, 1849.

⁹² The “*Mercury*,” March 26, 1849. See also G. P. Garrison's “Westward Extension,” pp. 312, 313, and Rhodes's “History of the United States,” Vol. I, pp. 105–107, there cited. In the North, on the other hand, “the Legislatures of all the States . . . except Iowa passed resolutions favoring congressional prohibition of slavery in the territories, and a

But there was another side to the picture, and we can see here once more the impossibility of the position the Southern leaders ever held. If the Southern Address found many to support it, there were equally hosts who were as strongly opposed, and united action was once more shown to be unattainable. The love of the Union was far too strong throughout the South to be overcome, even after the contests of nearly a quarter of a century, and at the very time when the address was given to the world with all the difficulty that has been seen, the North Carolina Legislature resolved⁹³ that they were devotedly attached to the Union, regarded it as the main pillar in the edifice of real independence and that all public servants should "discountenance whatever may suggest even a suspicion that it can in any event be abandoned."

A counter-address was, moreover, soon issued lauding those of the party in the North who had in general supported the South and insisting that the preservation of the party and not its disruption was the true way to guard Southern interests.⁹⁴ Then, too, the Nashville Convention,—which met a few months after Calhoun's death, and which he and others had been so earnestly urging,⁹⁵—fell equally flat and its doings

number took action looking towards the abolition of slavery and the slave trade in the District of Columbia."

⁹³ "Laws of North Carolina," 1848-49, "Resolutions," 237-239. The resolutions asserted also the general Southern view as to the rights of the South and of slavery in the territories, but without a word in regard to resistance. See also the (Philadelphia) "Ledger," January 29, 1849.

⁹⁴ Niles's "Register," Vol. LXXV, pp. 231-233. This address bore only four signatures,—Cobb and Lumpkin of Georgia, and Boyd and Clark of Kentucky.

⁹⁵ See, for example, "Correspondence," pp. 769, 775, 778. Calhoun's power throughout the South generally was immense by this time. His hand in proceedings in Alabama, and probably also in Virginia, has been shown, and he was asked his opinion in the summer of 1849 as to what a coming Mississippi Convention should do. His answer (Calhoun, July 9, 1849, to Judge Collin S. Tarpley in "Publications of Southern History Association," Vol. VI (1902), pp. 415, 416) detailed his views at some length. "In my opinion," he wrote in part, "there is but one thing that holds out the promise of saving both ourselves and the Union; and that is a Southern Convention." The Convention should, he added, put forth our grievances in a solemn manner and solemnly warn the other States of the consequences, if the grievances "should not be redressed, and to take measures preparatory to it [sic], in case they should not be." A later reference was contained as to "dissolving the partnership." The Mississippi Convention met in October, recommended a

were of little effect, unless to demonstrate the accuracy of the disgusted comment of the *Mercury* during the pains of labor of the Southern Address that the proceedings "disclosed the fact that it was impossible to unite Southern politicians in defense of Southern rights."⁹⁶

During all this trying session, in which Calhoun bore on his shoulders,—already bent with age,—so great a share in the South's losing battles, and in which it became more and more apparent to him that the Union, which he had ever loved, could hardly endure, his health had come to be very seriously impaired. As it grew daily plainer that the problem of preserving the Union of our then discordant States, which had been the main task and dread of our earlier statesmen, was about to solve itself in the negative and nameless woes to arise on our horizon, the sands of life were slipping fast away from him.

Three times during those wearing months, he fainted in the lobby of the Senate. After the first attack, which occurred on January 17, he wrote his daughter,⁹⁷ then absent in Europe, that the faintness "passed off in less than a minute [and] was caused by several acts of imprudence, and among others, by doing what has not been usual with me, sponging my body all over as soon as I got up. The morning was cold and my system did not react, as I hoped it would. I must be more careful hereafter and not tax my mind as heavily as I have been accustomed to do." But doubtless he knew that these colors were too roseate, and merely wanted to soften the news to his absent and favorite child.

Two days later he fell again, and the *Mercury's* correspondent wrote that "some of his friends . . . are seriously con-

Convention at Nashville in June and, in case this should not succeed, a convention of all the assailed States to provide in the last resort for their separate welfare by the formation of a compact, etc. (Jas. W. Garner's "The First Struggle over Secession in Mississippi," in "Publications of the Mississippi Historical Society," Vol. IV, pp. 90, 91). About the same time, too, Calhoun was urging Hammond to move for a Southern Convention, Hammond November 16, 1849, to—, in Hammond Papers in Library of Congress; see also *ibid.*, to W. G. Simms, November 17, 1848.

⁹⁶ The Charleston "Mercury," January 22, 1849.

⁹⁷ To Mrs. Clemson, January 24, 1849, "Correspondence," p. 761. For the date of this attack, see the "Mercury" of January 22, 1849.

cerned at his condition." And once more, in a third instance, the same thing happened. In one of these cases, he was carried to the Vice-President's room, and Rhett hurried to him. Calhoun spoke of his career as being nearly over and said to Rhett: "You younger men must take up the work." And when Rhett answered that he hoped not, for never was Calhoun's presence more valuable to the South, he broke out with tears in his eyes:

"There, indeed, is my only regret at going,—the South,—the poor South."⁹⁸

In addition to these alarming attacks, he suffered much of the time from a harassing cough and was said to have had a severe bronchitis during this winter; and some serious affection of the heart was known to have developed. He was no longer able to be present in the Senate with the punctuality that had always distinguished him.⁹⁹ He still thought, it seems, that he would recover ere long and was in April pinning his faith to a watercure, which one of his sons and McDuffie had found very beneficial. On April 10 he wrote to Mrs. Clemson:

I began this morning with what is called the wet sheet, or rather the damp sheet, which is in effect no more nor less than a safe and efficient form of vapor bath. I remained wrapt around with the sheet, and covered with 8 or 9 blankets for 1½ hours, and ended in a warm bath, and an effectual rubbing dry. The process was soothing and pleasant. It has cleansed the skin effectually, and I doubt not, done much to open the pores—the only thing, in my opinion, needful to me. I shall persist in it until I give it a fair trial; and if I find it as beneficial as I expect, I shall fix up a complete bathing establishment. I am pleased with the first essay; and I hope it will prove a substitute for brandy toddy and hot punch. They have, I doubt not, done me good; but, I think, the water cure will do me still more.

⁹⁸ The "Mercury," January 26, 1849. Rhett's Oration before the Legislature in the "Death and Funeral Ceremonies of John C. Calhoun," published by the South Carolina Legislature, pp. 162, 163.

⁹⁹ The "Mercury," January 22, 1849. Venable's Speech in the "Death and Funeral Ceremonies," etc., *ut supra*, p. 51; see, too, Rhett's speech in *ibid.*, pp. 162, 163. I am unable to fix the time of the bronchitis. Venable speaks of it as being early in the winter of 1848-49, but perhaps it was merely the old chronic condition.

In this same letter, written after his arrival at home in Pendleton, he told the far-absent daughter of his pleasant journey south and of how great "the contrast was between being pent up in a boarding house in Washington and breathing the pure fresh air of the country, made fragrant by the blossoms of Spring." "The Jessamine and Dogwood were in bloom, and the forest had just commenced clothing itself in green." And not very much later (June 15), he gave news of the farm to the same willing ear.

The season has been wet and everything looks beautiful. Even the old field beyond the garden looks as green as a meadow. In the field beyond it (Speeds field), now containing 125 acres, by the addition of clearing, has a fine crop of oats, just fully shot out, which completely covers the whole ground, presenting an unbroken mass of green in that direction. The big bottom on the other side is covered, with a superb crop of corn, the best at this season, I ever had on it, which covers the whole with a deep green. Back of it lies Fort Hill, with its harvested wheat in shocks. The spring has been too cool and wet for cotton but mine looks well and, with my hill-side drains and serpentine rows, really looks handsome. The place is altogether in fine order. I ride or walk according to the weather, twice a day, morning and evening, over it, for the double purpose of exercise and superintendence. I have no trouble, as Frederick has become a first rate overseer, and takes as much interest as I do in everything about the place. I would be delighted to have you and the children with me occasionally, in my walks. . . .

My health and strength are as good as I could expect at my time of life. I take all necessary care of them, except being rather more overtasked than I could wish. I devote all the time left me, to finishing the work I commenced three years ago, or more; but which I had to suspend the last two years. I ought not to delay its execution any longer, and aim to put it in press, if I can finish it in the recess, next Spring or Summer.¹⁰⁰ I

¹⁰⁰ Calhoun was still writing at the second one of these works in the very end of December, 1849 ("Correspondence," p. 777), and during his last illness handed them both over to Crallé, who writes ("Advertisement" to Vol. I of "Works") "it is almost certain he never found time to examine the copy" of the earlier "Disquisition," while the other bore all through "evident marks of interrupted and hurried composition." Their titles were respectively "A Disquisition on Government" and "A Discourse on the Constitution and Government of the United States," and

finished yesterday the preliminary work, which treats of the elementary principles of the Science of Government, except reading it over and making final corrections, previous to copying and publishing. It takes 125 pages of large foolscap closely written for me. I am pretty well satisfied with its execution. It will be nearly throughout new territory, and, I hope, lay a solid foundation for political Science. I have written, just as I thought, and told the truth without fear, favor or affection.

After a few days of relaxation, I shall commence to treat of the Government of the United States. It will be more than twice as voluminous as the elementary work, but not near so difficult of execution. It will take me four or five months, I suppose. I have got a good deal of it blocked out. I should like to read both to you and Mr. Clemson before I publish, and regret that I shall not have the opportunity to do so.

So it was that the great Southern leader, far down now in the decline of life, passed away the months of vacation during this his last summer at the beloved Fort Hill, working persistently at a task of the mind which stood for much to him, and at the same time as deeply interested as he ever had been in the agriculture on his farm, humbly watching the teeming *life* that sprang up everywhere about him, while his life was slowly ebbing out, and wondering perchance in aching human ignorance whence and what it all was.

they were issued after his death as Vol. I of his "Works." They were also published by the State Legislature (*Acts, &c.*, 1850. Reports and Resolutions, 152-156). Calhoun had intended to publish with them ("Correspondence," 772) a "collection of my speeches and other productions on constitutional subjects." The "Disquisition" treats quite extensively of the doctrine of "concurrent majorities" and their advantage over the system of a mere numerical majority. The "Discourse" is a labored examination of the United States Constitution and of the intentions of its framers and the result of their work, but is full of the defects of its incompleteness.

CHAPTER XII

CLOSING SCENES

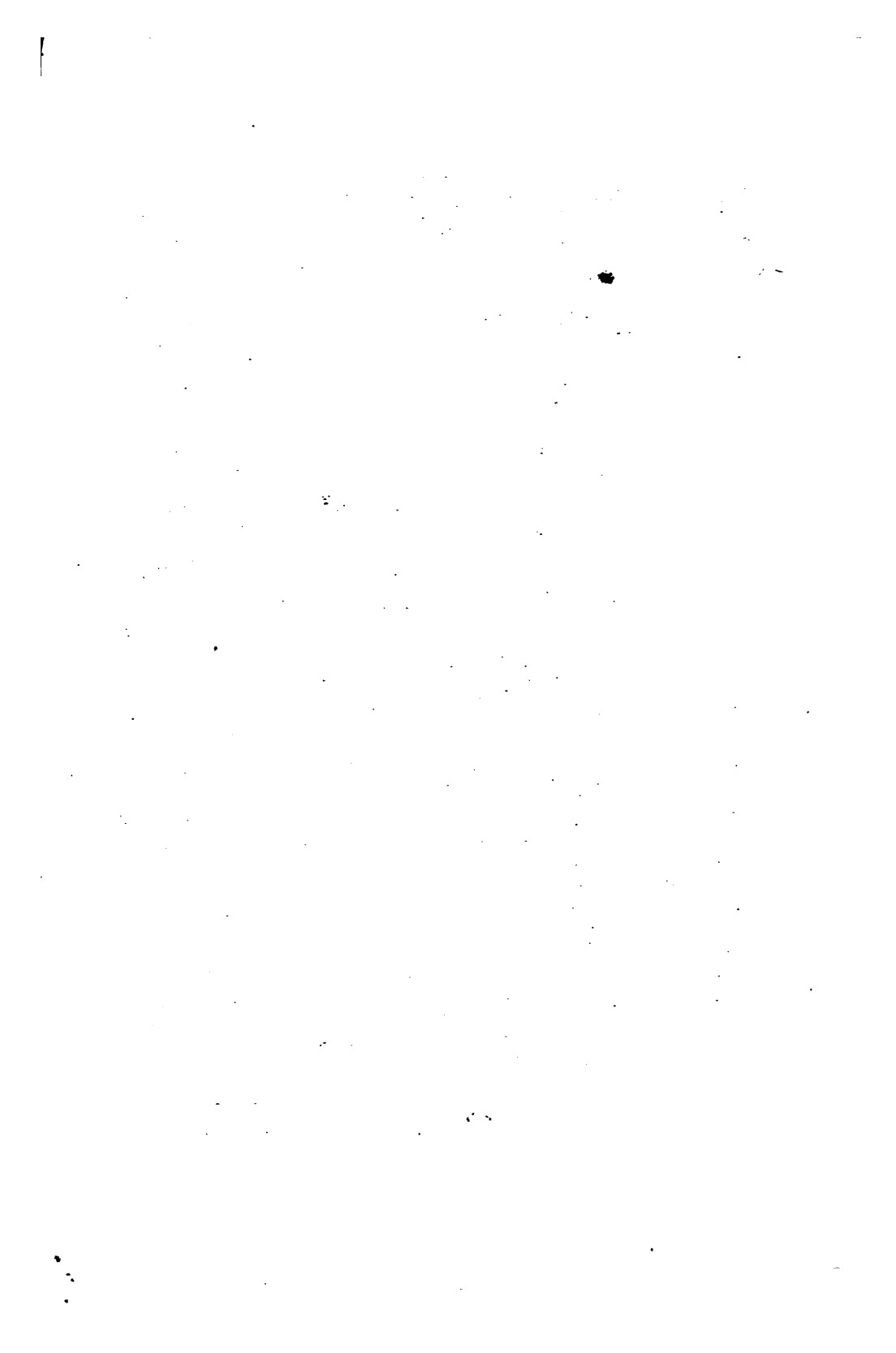
The Executive Plan to Organize the Territories — Calhoun's Reply to Benton — The First Session of the Thirty-first Congress — Contest in Regard to the Admission of California — Calhoun Ill Again — His Views of Public Affairs by this Time — Speech of March 4th — Later Appearances in the Senate — Abolition Petitions Received and Referred — Calhoun's Last Days — Interviews with Public Men — Dark Forebodings as to the Country's Future — Last Illness and Death — Funeral.

By the date that we have now reached, the outlook for the country was very dark. That gradual snapping here and there of the cords that bound us together, to which we shall find Calhoun referring in his last great speech, pointed the way we were going, and the bitter contest for the control of the new territories showed not a sign of abatement. There seemed no way out of the issue which had been joined. In the North the insistence to exclude slavery was well-nigh universal, while in the South the determination not to submit in peace to such a result grew more and more apparent.

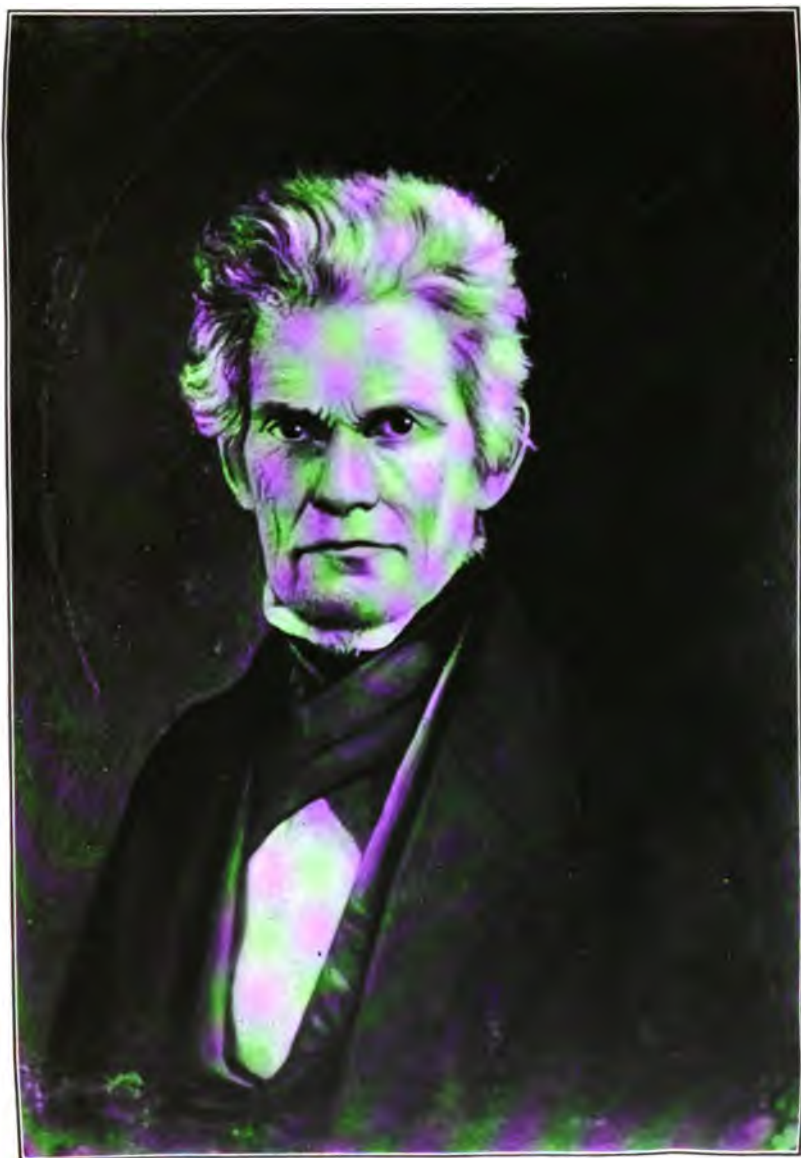
Virginia, in addition to her earlier resolutions looking to actual resistance, had not only recently reaffirmed these, but had added a declaration in favor of their Legislature's being called together in special session "to consider the mode and measure of redress," should the Wilmot proviso or any law to abolish slavery or the slave-trade in the District of Columbia be passed.¹ And a large meeting in Charleston had later adopted much this same language,² while the Legislature of

¹ January, 1849; Niles's "Register," Vol. LXXV, p. 73.

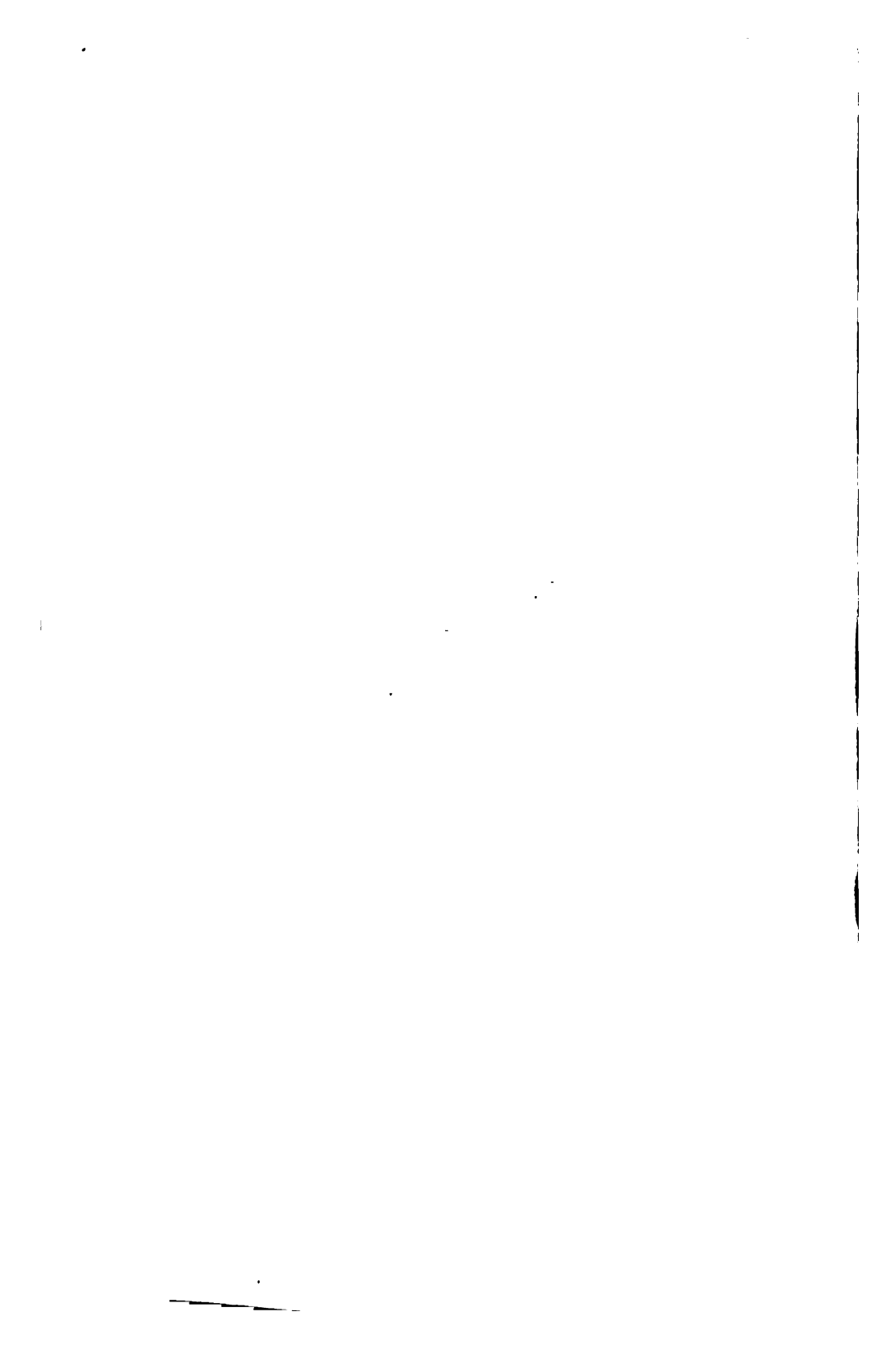
² February, 1849; Niles's "Register," Vol. LXXV, p. 191, or Charleston "Mercury," February 28, 1849.







MINIATURE OF JOHN C. CALHOUN PAINTED IN 1850
Vol. II, p. 438



South Carolina had declared³ at its session in the end of 1848 that "the time for discussion . . . has passed; and that the General Assembly . . . is prepared to co-operate with her sister States in resisting the application of the Wilmot proviso . . . at any and every hazard."

These were but samples of the sentiment throughout the South, and Mississippi had in one sense perhaps gone even further. Her Legislature was in the act of calling for a Southern Convention, the design of which in certain contingencies could not be doubtful.⁴ No wonder that the elder statesmen of the time, bred to the beliefs of the Fathers in regard to the importance and power of the States in our system and inheriting that dread of disunion which Americans down to 1865 all felt so strongly, were appalled and stood aghast.

Another cause for Southern excitement was added during the summer of 1849. The almost entire absence of government—except military ones,—in the new possessions was a great evil and hardly short of a scandal, and the new administration conceived a plan to end this state of affairs by a means which was certain entirely to exclude slavery from the new possessions. About mid-summer, news began to arrive in the East from far distant California that steps were taking under federal direction to adopt a State constitution and apply at once for admission.⁵ There were at the time practically no slaveholders in the intending State, so it was apparent that slavery would be excluded.

There was, moreover, much to complain of in the way the plan was carried out. The proclamation ordering the election was published in the *Washington Union* on August 2 and bore the signature of General Riley,—“Bt. Brig. Gen. U. S. A. and Governor of California.” The latter part of the title was assumed in pursuance of orders from Washington, and the claim made was that, under the existing laws of California, in the absence of a properly appointed civil gov-

³ Niles's "Register," Vol. LXXV, p. 32.

⁴ See *ante*, or "Mercury," December 1, 1849.

⁵ Charleston "Mercury," August 1, 1849.

error, the commanding officer of the department was *ex-officio* the civil governor.

Hence, so went on Riley's proclamation "given" at Monterey on June 3, 1849, he had, "in accordance with instructions from the Secretary of War," assumed the administration of civil affairs. He then went on to direct an election and to regulate who should be entitled to vote for thirty-seven delegates to a constitutional convention which he directed should meet on September 1.

There were objections in some parts of the State to the methods adopted, but these were appeased and in due time the convention met. It, of course, put into the constitution a clause to exclude slavery, and the proposed instrument was later adopted by popular vote, a government was organized and two Senators of the United States chosen.⁶ The whole proceeding was far removed from American precedent, was not at all based on popular initiative, and we can hardly wonder that the Southerners were greatly excited and denounced the methods employed as those of "Kingly Prerogative."⁷ Much the same plan was also set afoot in other territories.

During these same months of summer, Calhoun once more came out before the public in a writing which was widely read in its day. Benton, then engaged in a fierce struggle to save himself in Missouri, assailed Calhoun bitterly in a speech⁸ at Jefferson City on May 26, and this came ere long to Calhoun's attention. He wrote⁹ to a son that he was "averse to touching" Benton but "he strikes at the South and its cause through me; and I have concluded to repel his attack." Any one who reads the ten and a half columns long reply¹⁰

⁶ See, generally, McMaster's "United States," Vol. VII, pp. 610, 611.

⁷ Washington "Union," August 5 and *passim*. The Charleston "Mercury," does not seem to have appreciated the matter, though Foote ("War of the Rebellion," pp. 113, 114) speaks of the excitement throughout the South.

⁸ A synopsis is to be found in Niles's "Register," Vol. LXXV, pp. 390-92, 397-99.

⁹ To Andrew P. Calhoun, June 23, 1849, "Correspondence," p. 768.

¹⁰ It is reprinted in the Washington "Union," July 22, 1849, in the Charleston "Mercury," July 17 and 18, and doubtless in many other journals. It was published originally, in accordance with Calhoun's at least frequent custom, in the local paper near his home, "The Pendleton Messenger."

dated July 5 and addressed "To the People of the Southern States," will find that Benton was indeed served with his own dish,—and both dishes were in a high degree vitriolic. The reply was much admired of many at that date, when its subjects were of vital interest, but has of course long since lost its savor, like all such ephemeral literature.

A picture of the time is given in a letter of Crallé, who wrote ¹¹ to Calhoun from Lynchburg that, in expectation of the reply, of which extracts had already been received, "a large number of persons gathered around the Post Office on the arrival of the mail yesterday. Curses, deep and bitter, were uttered against the Traitor [Benton] and some who, for years, have been your steady enemies, came up to congratulate me on the triumphant defense. It seems to me that it must surely overwhelm the scoundrel even in Missouri." If our politics to-day are cold, despite occasional outbursts of hysteria, the case was surely otherwise in 1849.

It does not seem that Calhoun's health grew worse in any marked way during this summer or autumn, and presumably his condition the preceding winter was the cause of current rumors that he would resign. Even at the prior session, few seem to have expected him to return again,¹² and it is said ¹³ that he was urged to stay quietly at home, but insisted on going once more to Washington "to renew his labors in defense of the Constitution and the preservation of the Union." Rhett and Hammond were both making inquiries among friends in the autumn of 1849 in regard to support for the expected vacancy.¹⁴

Calhoun seems to have had no idea of resigning, but he did know his weakness, and he sought to secure a mess where he could avoid "the bleakness of the walk up Capitol Hill in windy weather, and the liability of getting heated in walking

¹¹ July 25, 1849, "Correspondence," p. 1199.

¹² Rhett's Oration before the South Carolina Legislature.

¹³ Jefferson Davis, in "The Life and Character of Calhoun," "North American Review," Vol. CXLV, pp. 248-260.

¹⁴ Wm. B. Johnson, November 8, 1849, to Calhoun, in "Correspondence," pp. 1208, 1209; A. P. Aldrich, September 24, 1849, to Hammond, and J. H. Hammond, October 12, 1849, to—, and of the same date to W. G. Simms in Hammond Papers, in Library of Congress.

up it with the heavy clothes necessary to guard against a Washington winter, and cooling off too suddenly on throwing off the overcoat or cloak on reaching the Senate chamber." He preferred Hill's, where he had been before and which was situate on Capitol Hill on the east side of First Street East at the corner of A. Street North. There he spent the winter with Armistead Burt and Mrs. Burt. The latter was his relative.¹⁵

The session opened on December 3d, and Calhoun was already present. He had come by boat from Charleston to Baltimore, and had arrived in Washington a day or two before the 3d, after a pleasant journey in fine weather; but the snow and sleet of the winter then began at once.¹⁶ The session was a momentous one. Clay, after an absence of seven years, had returned once more to the Senate, unanimously elected by the Legislature of Kentucky and fired with the patriotic desire to discover some means to compose the threatening dangers.

Webster greeted Clay most cordially, and Calhoun, too, the remaining member of the Senatorial triumvirate of so many years, was seen to "advance with manly stride toward the seat of the great statesman of the West and offer him his most affectionate salutations." He had first consulted friends as to the propriety of his making the first approach to one from whom he had parted with some unkindness a few years before.¹⁷

A contest began at once in the House over the choice of the

¹⁵ Calhoun, November 5, 1849, to Armistead Burt, "Correspondence," pp. 773, 774. The building in which Hill's mess was then situate was the same one which had been occupied by Congress after the destruction of the Capitol in the War of 1812 and was known as the old Capitol. In it Calhoun died, and it remained standing until after the Civil War. There are now three dwellings on the site; but it is not certain whether the old building was entirely torn down or merely enlarged and changed inside. Congressional Directory for the First Session, Thirty-first Congress; Rufus B. Wilson's "Washington, the Capital City," Vol. I, p. 161; Marian Gouverneur's "As I Remember," p. 384. Mrs. Gouverneur falls into the error of writing that the building in question was on Second Street. See also the Washington Directory for 1843 that one H. V. Hill had in that year a boarding-house on the site in question. I have not been able to find other Washington Directories.

¹⁶ "Correspondence," p. 774.

¹⁷ Foote's "War of the Rebellion," p. 116.

Speaker, and Calhoun again thought that there would be "a stormy session." No wonder, too, for he had already told his son that the Northern members "now begin to claim the right to abolish slavery in all the old States, that is, those who were original members, when the Constitution was adopted."¹⁸ And a little earlier, he had written to another correspondent: "There is no telling what will be the end. The South is more united than I ever knew it to be, and more bold and decided. The North must give way, or there will be a rupture."¹⁹ Early in the session, too, his views came out, when resolutions from the Legislature of Vermont calling slavery "a sore evil" and urging resistance to any extension were pending, and he said of the agitation that he "despaired of ever seeing it arrested in Congress. It will go to its end. . . . Sir, what the South will do is not for me to say. They will meet it, in my opinion, as it ought to be met."²⁰

One other fact, which had tended to unite the South must be mentioned. The recent elections had in that section gone rather against the Whigs, though not markedly, and in Georgia only the two very prominent members of that party, Toombs and Stephens, had succeeded in being returned to the next Congress, instead of the four who sat in the existing one. These two members, moreover, who had so recently been strong opponents of the Southern Address and who had largely contributed to the defeat of the Clayton Compromise plan, were to be found early in the session coming out most strongly for the defense of Southern rights.²¹

California was a chief bone of contention. Its admission to the Union would at once and definitely put the South in a minority in all branches of the Government, and the Southern leaders were in general appalled at this prospect. Foote had

¹⁸ To Andrew P. Calhoun, January 12, 1850. "Correspondence," p. 780. I am not aware of any claim made openly of a right to abolish slavery in the States, and I suppose the statement must have been based on words heard in conversation, or perhaps reported by others.

¹⁹ To Thomas G. Clemson, December 8, 1849, *ibid.*, p. 776.

²⁰ "Congressional Globe," Thirty-first Congress, First Session, pp. 120, 123.

²¹ Schouler's "United States," Vol. V, pp. 153, 154. Foote's "War of the Rebellion," 79-82. The Washington "Daily Union," August and December, 1849, *passim*.

urged Calhoun during the summer and again in the fall to be the champion of her admission, on the grounds of the injustice of excluding her and that it was best for them that she should come in under Southern auspices, but Calhoun was resolutely opposed and of opinion that she was sure to be hostile to their interests. So general, too, was this feeling, that "the Southern Rights Senators had signed a paper pledging themselves to defeat the bill to admit California by any means the majority of them should determine on."²²

With these and the other difficulties of the situation before them and with many hidden struggles to lead to a solution in particular ways, Congress rather drifted for a time. But on January 29, Clay presented his compromise resolutions for the settlement of all the problems involved and spoke at great length on the subject on February 5 and 6. From then on, every phase of the disputes was under discussion and hosts of plans offered by many members, while, as a sort of refrain, abolition petitions appeared again in some number and Hale offered a petition to dissolve the Union.

While all this was going on, Calhoun was, it is likely,²³ generally present during December, but not taking much part. He was also present in January as late as the 16th, but close to that date²⁴ was taken sick with an attack of pneumonia, from

²² Rhett wrote Crallé to this effect in 1854. "Robert Barnwell Rhett on the Biography of Calhoun, 1854," by Gaillard Hunt in "American Historical Review," Vol. XIII, pp 310-12. The paper in question was evidently then in Rhett's hands. He complains that the Virginia and South Carolina senators later,—of course after Calhoun's death,—failed to adhere to it.

²³ It is not possible to ascertain the exact dates on which Calhoun was present, except in a few cases, for he was silent in the main. I have examined not only the "Debates" but the "Journal" and the "Executive Journal" also, but they furnish proof of his presence in but few instances (December 3, 6, and 20, January 7, 8, 9, 14 and 16, February 18, and March 4, 7, 12 and 13. The Washington correspondent of the Philadelphia "Ledger" of February 20 speaks of him as being present also on February 13. He wrote to his daughter on December 31, 1850 ("Correspondence," pp. 776-778): "My health continues as good as I could expect at my time of life." See also Jenkins's "Life," p. 415. Jefferson Davis wrote ("Life and Character," etc., "North American Review," Vol. CXLV, p. 255) that "during the debate over . . . the compromise measures, . . . Mr. Calhoun was generally confined to his lodgings."

²⁴ The Charleston "Mercury," January 24, 1850, is glad to hear that

a "modified case" of which, he wrote his son-in-law on February 6, he had been entirely free for a week, so that he had been able to ride out.

Again on the 18th (Monday) he was present and "hoped to take part in the debate²⁵ on the great question of the day now pending in the Senate by the end of the week," but the next day was very inclement, and he did not go out; the following one found the breaking leader in the "incipient state of a cold." Soon fever set in. By the 24th he was again free of these symptoms, but still coughing badly. Colds are so common, he added, as to be almost epidemic. "I am exceedingly anxious," so he closed this sad account of himself to his daughter, "to be heard in the debate now going on in the Senate; and as my strength may not be sufficiently restored in time, I have resolved to write out what I intended to say and have it read."

This step had been taken upon the advice of friends,²⁶ and on February 28 his colleague Butler requested of the Senate that Calhoun be allowed at one o'clock on Monday next (March 4) to present his views to the Senate on Clay's resolutions and that the Senate "allow him,—he of course being present—the privilege of having his remarks read by some friend at that hour." He had been much affected for some time, Butler added, by the cold weather and though much recovered, his friends thought it best he should not attempt himself to deliver his views. Dickinson said that no motion was necessary, and Clay hoped that, without any entry being made on their journals, the request would at once be unanimously considered granted. There was, of course, no objection.²⁷

Before going on to the consideration of Calhoun's last message to the country in his speech of March 4, 1850, it will be

he is recovering his health, after having been detained from the Senate for some days by indisposition.

²⁵ His wish to speak was known a week earlier, *The (Philadelphia) "Ledger,"* February 12.

²⁶ Calhoun to Thomas G. Clemson, March 10, 1850, "Correspondence," pp. 783, 784; and see, too, Butler's remarks referred to immediately *infra*. By about the 24th it was reported that his speech was written out and was to be printed and read. *Washington "Daily Union,"* February 26, quoting the *Baltimore "Patriot."*

²⁷ "Congressional Globe," Thirty-first Congress, First Session, p. 439.

necessary to say a few words of the opinions which he had by this time come to hold. The fundamental facts of our past and the existence since the earliest days of two very divergent schools of political belief must be left entirely to the general knowledge of the reader, but some of the surrounding circumstances of our then recent history are also important in leading to a comprehension of Calhoun's point of view.

Many years had gone by since Van Buren wrote²⁸ in 1827 outlining the reasons for a political alliance between "the planters of the South and the plain Republicans of the North," and with no little vision of the future added the opinion that, if the old party feelings were suppressed, "geographical divisions founded on local interests or what is more, prejudices between free and slaveholding States will inevitably take their place." The alliance thus advocated continued to exist for a number of years, but the slavery disputes made it difficult of maintenance, as both parties in the North quickly came, under the spread of anti-slavery sentiment, to dally with the abolitionists.

Calhoun saw the coming break in this union of parties, at least as early as 1844. "A split between us and the northern democracy is inevitable," he wrote on February 7 of that year, soon after he had withdrawn his name from the Baltimore Presidential Convention. And Hammond was writing by 1840 of the democratic party as "the democratic rabble" and predicting a break-up and re-alignment with those who favored State Rights on one side, with whom would go many Whigs, while "the rabble" would be against them.²⁹

As the defense of slavery grew more and more the vital matter in the South, this view spread and was doubtless held by a great many. Wilson Lumpkin wrote to Calhoun on January 6, 1847, in regard to it and predicted the formation of sectional parties. The occasional efforts made in the South to found and maintain at Washington a newspaper in their own interest was another move in precisely this same direction. The object had been accomplished in a manner during

²⁸ Letter of January 13, 1827, to Thomas Ritchie, cited in Ambler's "Ritchie," pp. 107, 108.

²⁹ Hammond Papers, in Library of Congress, June to December, 1840, *passim*.

the campaign of 1844, but only temporarily, and was tried again in 1847 and subsequently, but the *Southern Press* became an actuality only after Calhoun's death.³⁰

This whole tendency was another instance of that gradual snapping of the cords of the American Union to which Calhoun referred in his speech of March 4th, and was a very serious menace to the future of the country. An actual breach of the democratic party shortly preceded secession and was a large factor in bringing it about.

But a number of years before that date, and markedly by 1850, the feeling that the Union of the States would not last was wide-spread throughout the South. Judah P. Benjamin saw the danger clearly enough by 1845,³¹ and in 1850 Stephens looked with dread at the coming admission of several free States, which would then have the power to "harass, annoy, and oppress" the South. "We have ultimately to fight or submit," he wrote, and the subject was for some time agitated in the press and among public men.³² Toombs said openly in the House in the last days of 1849 that, if the efforts to exclude the South from the territories and to abolish slavery in the District were successful, "I am for disunion."³³

There can in my opinion be no doubt that by this date Calhoun, too, had come pretty much to despair of the Union, though still desirous of saving both it and the South, if possible.³⁴ In April, 1849, when urging steps to call together at an early date a convention of the Southern States so as "to present with an unbroken front to the North the alternative of dissolving the partnership or of ceasing on their part to violate our rights and to disregard the stipulations of the Consti-

³⁰ I. W. Hayne, August 25, 1847; A. P. Aldrich, August 26, 1847; W. G. Simms, October 20, 1847; I. W. Hayne, 1847: all to Hammond and the last written on the printed circular of the proposed paper, in the Hammond Papers, in Library of Congress. "Calhoun Correspondence" pp. 719, 722-724, 737, 771, 1128, 1129. For the launching of the "Southern Press" in 1850, see Smith's Annexation of Texas, 208. Calhoun wrote Green in 1847 that \$25,000 would be necessary, and added that \$10,000 had been raised in Charleston for "The Constitutionalist," and all "lost without doing any good." *Ibid.*, 719.

³¹ "Life of Benjamin," by Pierce Butler, pp. 85 *et seq.*

³² Pendelton's "Stephens," p. 96 *et seq.*, also pp. 102-116.

³³ "Congressional Globe," Thirty-first Congress, First Session, p. 28.

³⁴ Letter, July 24, 1849, to A. P. Calhoun, "Correspondence," p. 769.

tution in our favor," he wrote that he was "of the impression that the time is near at hand when the South will have to choose between disunion and submission. . . . [A Convention] would give us the great advantage of enjoying the conscious feeling of having done all we could to save it [the Union], and thereby free us from all responsibility in reference to it, while it would afford the most efficient means of united and prompt action, and thereby of meeting the momentous occasion without confusion or disorder, and with certainty of success."⁸⁵

If possible, these feelings grew stronger, as months wore by and the situation failed to clear up. Early in January of the new year, he wrote Hammond to urge on the Southern Convention and told him that "it is becoming a common opinion, that there is little chance of saving the Union. The subject is freely talked about and discussed in private circles. It is also becoming a prevalent opinion, that the South ought not to remain in the Union, without a complete restoration of all her rights, a full recognition of our equality in every respect, and ample security for the future." And finally on March 10, after his last great speech and the hint of settlement it contained, he added that "nothing short of the terms I propose, can settle it finally and permanently. Indeed, it is difficult to see how two peoples so different and hostile can exist together in one common Union."⁸⁶

⁸⁵ Letters, April 13, 1849, to John H. Means; and December 7, 1849, to James H. Hammond. "Correspondence," pp. 764-766, 775, 776; also see H. M. Jones, April 29, 1849, to Calhoun, *ibid.*, pp. 1195-1197; A. Hutchinson, October 5, 1849, to Calhoun, *ibid.*, pp. 1206, 1207; and other like letters *passim*.

⁸⁶ To Hammond, January 4, 1850, and to Thomas G. Clemson, March 10, 1850. "Correspondence," pp. 778-780, 783, 784. It seems also that Calhoun left behind him some paper on disunion. Morehead wrote to Crittenden on March 31, 1850, that he understood Calhoun had "prepared a paper showing that the only salvation of the South is by disunion. It is said to be a very strong and dangerous argument" (Coleman's "Crittenden," Vol. I, p. 363). This was probably the same paper to which Rhett refers in his letter to Crallé, October 25, 1854, when telling of his [Calhoun's] letter on Disunion ("American Historical Review," Vol. XIII, pp. 310-312). Rhett mentions also some letter of Calhoun's "as to the course South Carolina should pursue, if the other Southern States abandoned him in the controversy of 1850." Both of these seem to be lost.

On Monday, March 4, at 12:30 o'clock, Calhoun came into the Senate Chamber to have his speech read. It was a momentous occasion, full of the pathos of human history. The old and breaking leader was so far gone that he could not himself speak the parting message he had to deliver, but must call in the aid of the young, while around him were his two great compeers of so many years and such stirring scenes, they, too, far down in the decline of years and weighted with sorrow at the darkening prospect of public affairs.

The splendid setting of the American Senate was there, too, not tapestry and tinsel, but the higher coloring of a mighty history enacted in past years. In that body, the great heroes who won the revolution had later set the constitution into motion, there the host that followed them had further taught the world the difficult task of how to carry on popular government, there Clay and Calhoun had respectively poured out winged words of appeal and passion or cogent and earnest argument often flashing into eloquence from the absolute conviction of the speaker, there the stupendous genius Webster had spoken his marvellous orations and had been a leading factor in forging an American Nation.

Now, when the future of the country looked so black from the struggles between the growth of nationalism and the opposing tendency to State Rights, Webster's chief opponent of so many years was to tell the world in his last utterance what his part of the country thought essential to their safety in order that they could remain in the Union. The reasons for their fear of the future were known and often appreciated by the men of that time, and surely the verdict of history will in the end recognize their validity. They were flinging down their gauntlet in challenge to a mortal combat which was destined to turn against them, but this has often been the lot of brave men who risk all on a hope rather than submit to evils which seem intolerable.

As he walked into the Senate, Calhoun was attended by James Hamilton, his friend of many years.⁸⁷ The correspon-

⁸⁷ John Wentworth was present, and wrote years afterwards ("Congressional Reminiscences," in "Fergus Historical Series," No. 24 pp. 22,

dent of the *Charleston Mercury*,³⁸ has it that "his step, as he came in, seemed almost as firm and elastic as ever, but he looks quite emaciated. The chamber was thronged." But perhaps the *Courier's*³⁹ informant was more accurate in saying that he "almost immediately took his seat, being, apparently, very feeble and emaciated; but his eye was as bright, his smile as cheerful, and his heart as firm as ever."

It was of course widely known that the speech was to be read that day, and a great crowd of both sexes was gathered together. Calhoun rose and said:⁴⁰

As much indisposed as I have been, Mr. President and Senators, I have felt it to be my duty to express to you my sentiments upon the great question which has agitated the country and occupied your attention. But owing to having been retarded in my recovery by an attack of the cold so prevalent, and fearing I might hence not be able to deliver my sentiments before the end of the session, and under the advice of friends, I have written out what I have to say and will ask the favor of the Senator behind me (Mason of Virginia) to read it.⁴¹

Mason then arose, with a printed copy of the speech before him. He had a fine presence and commanding tone, and one witness tells⁴² us that his voice rang through the hall like a blast from a trumpet. Wentworth, writing years afterwards and with the bitterness of the Civil War tincturing his pen

23) that he came in "supported by two friends," but the accounts I rely on in the text are contemporary ones.

³⁸ March 9, 1850.

³⁹ March 9, 1850. See also letter of "C. A. D." in the *New York Tribune*, March 6, and Wentworth, *ut supra*, who writes that "every one saw that his hours were numbered." Von Holst writes ("Constitutional History," Vol. 1846-50, p. 497, see also "Life of Calhoun," p. 348) that after the speech was read, Calhoun was supported on the shoulders of two of his friends, as he tottered out of the Senate Chamber. No authority is given for the statement, and I have found none.

⁴⁰ Wentworth in his "Congressional Reminiscences," as above, p. 23, writes that Calhoun's voice was "feeble," while "C. A. D." in the *New York Tribune*, March 6, 1850, found it "as strong and earnest" as ever.

⁴¹ "Congressional Globe," Thirty-first Congress, First Session, p. 451. It seems to have been intended that Calhoun's colleague, Butler, should read the speech (The "Courier," March 7. The Washington "Daily Union," Feb. 26, quoting the Baltimore "Patriot" to the same effect), but for some reason this was changed. Perhaps Butler was absent.

⁴² O. O. Howard's "Zachary Taylor," p. 357.

describes his manner as "very haughty and defiant," while Foote says he read in "a very slow and emphatic manner."

Calhoun remained during the reading, which is said to have taken two hours, "his eyes moving about his audience to note its effect," while our other observer says that he occasionally imparted emphasis "by particularly significant gestures." A contemporary newspaper writer adds that "Webster and Clay sate like statues. . . . Mr. Calhoun, after his speech was read, was very warmly and cordially congratulated by nearly every Senator. The most interesting spectacle was presented after the Senate adjourned. There was [sic] Clay, Calhoun and Webster, standing together for some time near the Speaker's [sic] desk, and conversing about the speech."⁴³ The South was delighted with the effort and it was said that a quarter of a million copies would be required to supply the demand.⁴⁴

Calhoun began his dying message with the words, so solemn and at that date of such serious import :

I have, Senators, believed from the first that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion.

Going on, then, to the cause of this danger, he found it in the discontent in the South, and this was due to the agitation of slavery and the destruction of the equilibrium between the sections.

The loss of power by the South had resulted from their exclusion from the territories by the Ordinance of 1787, from the Missouri Compromise and the Oregon bill, and from the greater amount of federal money appropriated for the North. And there has also been such a growth of centralization that

⁴³ Wentworth, as above. Foote's "War of the Rebellion," p. 140, and "Casket of Reminiscences," pp. 80, 81. The Charleston "Mercury," March 9, 1850, quoted in Pinckney's "Calhoun," pp. 165, 166. The (Philadelphia) "Ledger," March 6, 1850. "C. A. D." (doubtless Charles A. Dana), in a letter in the New York "Tribune" of March 6, says that during the whole reading Calhoun "sate immovable in front of the reader. Not a change passed over the muscles of his face," but I think this is not borne out by any one else. Dana speaks also of congratulations from the Southern Senators, and that Clay came up and spoke, but he does not mention Webster.

⁴⁴ McMaster's "United States," Vol. VIII, pp. 21, 22.

the central government claims and practically exercises the right to decide on the extent of its powers, so that in any dispute, even in regard to the relations between the two races in the South, our interests would be sacrificed.

Every part of the North has already to-day feelings hostile to slavery, he went on; and then traced the growth of the agitation against it in the same way as he had already often done. What can stop this growth and the dire result? Nothing, as matters now are, and the South will certainly be forced by the continued increase of opposition to slavery to choose between abolition and secession. Disunion must follow, unless some new and radical means be found, and it will come, not suddenly but gradually. It has already begun. Then, to quote:

It is a great mistake to suppose that disunion can be effected by a single blow. The cords which bound these States together in one common Union, are far too numerous and powerful for that. Disunion must be the work of time. It is only through a long process, and successively, that the cords can be snapped, until the whole fabric falls asunder. Already the agitation of the slavery question has snapped some of the most important, and has greatly weakened all the others, as I shall proceed to show.

The cords that bind the States together are not only many, but various in character. Some are spiritual or ecclesiastical; some political; some social. Some appertain to the benefit conferred by the Union, and others to the feeling of duty and obligation.

The strongest of those of a spiritual and ecclesiastical nature, consisted in the unity of the great religious denominations, all of which originally embraced the whole Union. All these denominations, with the exception, perhaps, of the Catholics, were organized very much upon the principle of our political institutions. . . . All this combined contributed greatly to strengthen the bonds of the Union. The ties which held each denomination together formed a strong cord to hold the whole Union together; but, powerful as they were, they have not been able to resist the explosive effect of slavery agitation.

The first of these cords which snapped, under its explosive force, was that of the powerful Methodist Episcopal Church. The numerous and strong ties which held it together, are all broken and its unity gone. They now form separate churches;

and, instead of that feeling of attachment and devotion to the interests of the whole church which was formerly felt, they are now arrayed into two hostile bodies, engaged in litigation about what was formerly their common property.

The next cord that snapped was that of the Baptists — one of the largest and most respectable of the denominations. That of the Presbyterian is not entirely snapped but some of its strands have given way. That of the Episcopal Church is the only one of the four great Protestant denominations which remains unbroken and entire.

The strongest cord, of a political character, consists of the many and powerful ties that have held together the two great parties which have, with some modifications, existed from the beginning of the Government. They both extended to every portion of the Union, and strongly contributed to hold all its parts together. But this powerful cord has fared no better than the spiritual. It resisted, for a long time, the explosive force — if not entirely, in a great measure. Nor is there one of the remaining cords which has not been greatly weakened. To this extent the Union has already been destroyed by agitation, in the only way it can be, by sundering and weakening the cords which bind it together.

If the agitation goes on, the same force, acting with increased intensity, as has been shown, will finally snap every cord,⁴⁵ when nothing will be left to hold the States together except force.

How then can the Union be saved? In no way but by removing the cause of the trouble, by satisfying the Southern States that they can remain in safety. The cry of "Union, Union, the glorious Union!" can do nothing to help in the matter, nor can the invocation of "the name of the illustrious Southerner whose mortal remains repose on the western bank of the Potomac. He was one of us — a slaveholder and a planter. We have studied his history, and find nothing in it to justify submission to wrong.

Nor can we find anything in his history to deter us from seceding from the Union, should it fail to fulfil the objects for which it was instituted, by being permanently and hopelessly converted

⁴⁵ The process thus pointed out by Calhoun in 1850 continued gradually to spread after his death, until it invaded even purely social life, and care was exercised in sending out invitations for any but large functions, in order to confine them to the representatives of only one of the sections. Mrs. Clement C. Clay, Jr.'s "A Belle of the Fifties," p. 27; Pierce Butler's "Judah P. Benjamin," p. 173; Walter L. Fleming's "Civil War and Reconstruction in Alabama," pp. 21-24.

into the means of oppressing instead of protecting us. On the contrary, we find much in his example to encourage us, should we be forced to the extremity of deciding between submission and disunion.

There existed then, as well as now, a union — that between the parent country and her then colonies. It was a union that had much to endear it to the people of the colonies. . . . Washington was born and grew up to manhood under that union. He acquired his early distinction in its service, and there is every reason to believe that he was devotedly attached to it. But his devotion was a rational one. He was attached to it, not as an end, but as a means to an end. When it failed to fulfil its end, and instead of affording protection, was converted into the means of oppressing the colonists, he did not hesitate to draw his sword and head the great movement by which that union was forever severed, and the independence of these States established. This was the great and crowning glory of his life, which has spread his fame over the whole globe, and will transmit it to the latest posterity.

Then the speaker went on to say that neither can the plan of the Senator from Kentucky nor that of the administration save the Union. The latter, "the Executive proviso," is more objectionable than the Wilmot Proviso. It takes an indirect course to attain the same end, maintaining the right of the inhabitants of each territory to regulate the subject of slavery and meanwhile carefully excluding Southerners by holding up to them the danger that their slaves will be liberated under the Mexican laws.

The Executive proviso upholds, too, the entirely illegal course of procedure in California which was revolutionary and rebellious. They have usurped the sovereignty of the State and of Congress and have defied both, but the blame lies less upon them than upon the Executive, which aided and encouraged the movement through the military Governor. In all preceding cases, except that of Michigan, where there was a slight departure from precedent, the practice was uniform and steps looking to the formation of a State out of one of our territories were begun only upon authorization and under the directions of an Act of Congress. Here, it was begun and

directed entirely by the Federal Executive acting through army officers.

There is but one way in which the Union can be saved with any certainty:

And that is by a full and final settlement, on the principle of justice, of all the questions at issue between the two sections. . . . Such a settlement would go to the root of the evil, and remove all causes of discontent, by satisfying the South, she could remain honorably and safely in the Union, and thereby restore the harmony and fraternal feelings between the sections, which existed anterior to the Missouri agitation. Nothing else can, with any certainty, finally and for ever settle the questions at issue, terminate agitation, and save the Union.

But can this be done? Yes, easily; not by the weaker party, for it can of itself do nothing — not even protect itself — but by the stronger. The North has only to will it to accomplish it — to do justice by conceding to the South an equal right in the acquired territory, and to do her duty by causing the stipulations relative to fugitive slaves to be faithfully fulfilled — to cease the agitation of the slave question, and to provide for the insertion of a provision in the constitution, by an amendment, which will restore to the South, in substance, the power she possessed of protecting herself, before the equilibrium between the sections was destroyed by the action of this Government. There will be no difficulty in devising such a provision⁴⁶ — one that will pro-

⁴⁶ Probably every one was in doubt at the time, and some still doubt, what was the nature of the amendment Calhoun had in mind. On the day after the speech, the Washington correspondent of the "Courier" wrote ("Courier," March 9): "I have heard, but do not vouch for the fact, that the amendment contemplated by Mr. Calhoun, and which he does not specify, is to constitute two executives — one to be chosen by the Southern electors and the other by Northern, and who are to act only in concurrence." But at least one other story was current and nine days later the correspondent wrote (*ibid.*, March 18) that, though he himself still adhered to the belief that a dual Executive was intended, a very enlightened Northern Senator had assured him that the plan was to allow each slave to be counted in the representative numbers instead of counting but three out of five. To-day there can in my opinion be no doubt that Calhoun's real plan was to constitute a dual Executive, though the other plan referred to in the "Courier," or possibly even still others may have been considered by him. At this very time and down to the day before his death, he was working at his "Discourse on the Constitution and Government of the United States," and the following from it ("Works," Vol. I, pp. 391-395) seems conclusive on this point.

"The nature of the disease is such, that nothing can reach it, short of

tect the South, and which, at the same time, will improve and strengthen the Government, instead of impairing and weakening it. . . . If you, who represent the stronger portion, cannot agree to settle them on the broad principle of justice and duty, say so, and let the States we both represent agree to separate and part in peace. If you are unwilling we should part in peace, tell us so, and we shall know what to do, when you reduce the question to submission or resistance. . . .

"I have now, Senators, done my duty in expressing my opinions fully, freely, and candidly, on this solemn occasion. In doing so, I have been governed by the motives which have governed me in all the stages of the agitation of the slavery question since its commencement. I have exerted myself, during the whole period, to arrest it, with the intention of saving the Union, if it could be done; and if it could not, to save the section where it has pleased Providence to cast my lot, and which I sincerely believe has justice and the constitution on its side. Having faithfully done my duty to the best of my ability, both to the Union and my section, throughout this agitation, I shall have

some organic change,—a change which shall so modify the constitution, as to give to the weaker section, in some one form or another, a negative on the action of the government. . . .

"How the Constitution could be best modified, so as to effect the object, can only be authoritatively determined by the amending power. It may be done in various ways. Among others, it might be effected through a reorganization of the executive department: so that its powers, instead of being vested, as they are now, in a single officer, should be vested in two;—to be so elected, as that the two should be constituted the special organs and representatives of the respective sections, in the executive department of the government; and requiring each to approve all the acts of Congress before they shall become laws. One might be charged with the administration of matters connected with the foreign relations of the country;—and the other, of such as were connected with its domestic institutions; the selection to be decided by lot. It would thus effect, more simply, what was intended by the original provisions of the constitution, in giving to one of the majorities composing the government, a decided preponderance in the electoral college,—and to the other majority a still more decided influence in the eventual choice,—in case the college failed to elect a President. It was intended to effect an equilibrium between the larger States in this department,—but which in practice, has entirely failed; and, by its failure, done much to disturb the whole system, and to bring about the present dangerous state of things.

"Indeed, it may be doubted, whether the framers of the constitution did not commit a great mistake, in constituting a single, instead of a plural executive. . . . [after referring to the governments of Sparta and Rome, and to England and Cabinet Government]. . . .

"Such is the disease,—and such the character of the only remedy which can reach it."

the consolation, let what will come, that I am free from all responsibility.⁴⁷

Very soon after the speech was read the Senate adjourned. On the next day (March 5), Calhoun came to the hall and found Foote occupying the floor. He must have been told that the restless wasp from Mississippi was attacking him as a disunionist, for he interrupted to ask from his seat what was the question and expressed regret that "a member of this body in my absence, before the hour for the consideration of the question," should "comment on my remarks. I did not hear him. . . . Did he accuse me of disunion? Did he mean to insinuate that?"

Foote had pretty plainly intimated this charge and had objected that Calhoun's speech and the proposal of an amendment, which was not specified and no one could fathom, had been made "without consultation" with any Southerner, so far as he knew. He attacked in particular the statement which he asserted Calhoun had made that "every portion of the North entertains feelings more or less hostile to the South,"⁴⁸ and advanced the preposterous and puerile view that the questions in dispute "could be settled and honorably settled within ten days' time." The discussion was quite out of order and was on Calhoun's part only a means of setting himself right.⁴⁹

Again on the 7th, the day of Webster's famous speech, Calhoun came in late, while Webster was speaking of him without knowing he was present. The great orator expressed his pleasure to see Calhoun in the Chamber and went on to criticize, but kindly enough, his course as to Texas. Calhoun interrupted at one point to explain shortly and again did so more at length, when Webster closed, but of course Webster could not or would not see the difference between what he charged and the explanation which Calhoun gave. They had, too, some kindly refer-

⁴⁷ "Works," Vol. IV, pp. 542-573, or "Congressional Globe," Thirty-first Congress, First Session, pp. 451-455.

⁴⁸ Hostile to *slavery*, was plainly Calhoun's statement. See "Works," Vol. IV, p. 552, or "Congressional Globe," Thirty-first Congress, First Session, p. 452.

⁴⁹ "Congressional Globe," Thirty-first Congress, First Session, pp. 461-464.

ences to their long friendship and the lances they had broken together in the past as to the nature of the government, Calhoun saying, "I have no desire to do it now" and Webster adding "I presume the gentleman has not, and I have quite as little."⁵⁰

Once more Calhoun was present on the 11th, and heard Seward's speech in which the doctrine of a "higher law" was so broadly proclaimed. Of course, to Calhoun this can have seemed nothing less than destructive of government, but he is said to have listened closely and doubtless what he heard had its part in leading him to the conclusion that there was no common ground which he and the orator of that day could occupy.

Seward's speech was in general very coldly received by the public, so at least several newspapers indicate, though of course not those of the same tendencies, and the correspondent of the *Charleston Mercury* wrote from Washington on March 12 that during its delivery the galleries became much emptied. Webster, it is added, interrupted the speaker several times to ask whether he understood correctly and would then sink back in his place with a sneer of contempt. At one of these interruptions Calhoun was heard across the hall to say:

"Let him go on: don't interrupt him!"

Whereupon Webster ceased to interject the questions.⁵¹

March 13 was the last day on which Calhoun ever appeared in the Senate, and in that respect and others the occasion was a momentous one,—to him at least. Early in the day Seward presented nine anti-slavery petitions. The usual motion to lay on the table the question of reception was at once made as to the first one and, despite the fact that earlier in the session this motion had been easily carried as to like petitions, this one was now lost by a vote of 15 to 22, with only one Northerner (Dickinson) in the affirmative. The petition was then received and referred to the Committee on Territories. Others of the nine presented were treated in the same way, and doubtless

⁵⁰ *Ibid.*, pp. 478, 479, 483, 484.

⁵¹ Letter of "James Sullivan," in the New York "Tribune," April 6, 1850. The *Charleston Mercury*, March 16. Such authorities are very dangerous to be much relied on, but there are few others. Webster's interruptions of Seward bear quite an appearance of scorn.

Calhoun and the South found here a strong confirmation of their claim that the agitation would steadily grow and finally overwhelm them.⁵²

On this same day, a little later, Calhoun fell into a discussion with Cass and Foote in regard to his speech of March 4 and what he had said of disunion. It was very similar to the dispute with Foote on March 5, the latter in particular intimating that Calhoun had said disunion would follow on the admission of California. This Calhoun denied, and it is evident that he was angry and highly wrought up by excitement and weakness. Jenkins indeed, writing close to that time, tells us that during much of the session he was extremely feeble but like Chatham, wrapped up in flannels occasionally crawled to the Senate Chamber to encourage his friends to stand firmly by the rights of the South, and adds that the particular scene we have been describing "was an exciting one; he was nearly overcome . . . [his voice] often giving way with the failure of the power of utterance—quivering from weakness and husky with emotion."

Foote spoke of his relations with other Senators and said he was on good terms with all of them, but Calhoun answered: "I am not,—I will not be on good terms with those who wish to cut my throat. The honorable Senator from New York (Seward) justifies the Northern treachery. I am not the man to hold social intercourse with such as these."

Foote said that he thought Seward would have to be "given up," and then Calhoun added:

"I recognize them as Senators,—say good morning and shake hands with them,—but that is the extent of my intercourse with those who I think are endangering the Union."⁵³

⁵² "Congressional Globe," Thirty-first Congress, First Session, pp. 364, 516.

⁵³ "Congressional Globe," Thirty-first Congress, First Session, pp. 518-520. Jenkins's "Life," pp. 441, 442. Calhoun believed, with an intense belief, his opinions as to slavery. Some two years before, referring to a pending bill to make any city, &c., in the District liable for damage done in riotous proceedings relating to slaves, he denounced "these atrocities, these piratical attempts, these wholesale captures, these robberies of seventy-odd of our slaves at a single grasp," and in the course of a wrangle with Hale, who had offered the bill, said he "would just as soon argue with a maniac from Bedlam as with the Senator from New Hampshire on this

So far as shown by the *Globe*, or other authority known to me, these were the last words Calhoun ever spoke in the Senate.

When we left the hall that day he went home, in reality but to linger and die, though still writing at about the same time, for his daughter's ears, that his health continued to improve and that "neither my late attack, nor the prevailing influenza, which I took in my convalescent state, and which so much retarded the restoration of my health, has left any permanent derangement of my system." He thought the mild weather would permit exercise in the open air and a full restoration of his health.⁵⁴ So men deceive themselves, or seek to deceive those dear to them.

He faded out but slowly, however; and there was still enough vitality left for him to see a number of people and talk with at least several about public affairs, as well as to work at his "Discourse on the Constitution and Government of the United States." Somewhere near the end of March he had an interview with Toombs and, with the possible purpose of letting his mantle fall on the latter's shoulders, "told him he would not live this session out, and that he must leave to younger men the task of carrying out his views."⁵⁵ John Randolph Tucker, too, as has been shown, saw him and heard him speak of his dark forebodings, and earnest wish to see the Union preserved.⁵⁶

He spoke to Mason still more at length on these same subjects,—so much in his mind until the end,—and once more showed on his deathbed his almost power of prophecy in regard to the future of the country and when and how the crash would come.

subject." This was the occasion on which Foote earned for himself the nickname of "Hangman Foote," by telling Hale that, if he would come to Mississippi, "he would grace one of the tallest trees of the forest, with a rope around his neck, with the approbation of every virtuous and patriotic citizen; and that, if necessary, I should myself assist in the operation." "Congressional Globe," Thirtieth Congress, First Session, "Appendix," pp. 501-503.

⁵⁴ Letter of March 10 to Thomas G. Clemson, "Correspondence," pp. 783, 784.

⁵⁵ C. S. Morehead, March 31, 1850, to John J. Crittenden, in Coleman's "Crittenden," Vol. I, p. 363; and see Ulrich B. Phillips's "Robert Toombs," pp. 78, 79.

⁵⁶ See *ante*, Vol. II, p. 123.

Mason was sitting with him and they were discussing slavery. Calhoun said:

"The Union is doomed to dissolution; there is no mistaking the signs. I am satisfied in my judgment even were the questions which now agitate Congress settled to the satisfaction and with the concurrence of the Southern States, it would not avert, or materially delay, the catastrophe. I fix its probable occurrence within twelve years or three Presidential terms. You and others of your age, will probably live to see it; I shall not. The mode by which it will be done is not so clear; it may be brought about in a manner that none now foresee. But the probability is it will explode in a Presidential election."⁵⁷

On March 17,—and for about a week,—he was very ill, and it was thought that he could hardly recover. The weather was very cold. There was, however, a story in some newspaper that his mind was still as active as ever, and that he was engaged on the 23rd in dictating another speech for the Senate, but this was soon denied.⁵⁸ Perhaps, what led to the report was the resolutions intended to be offered in the Senate which he dictated to Joseph A. Scoville a few days before his death. On the 24th he was again decidedly better, and such continued to be the case for several days.⁵⁹

It had been rumored in the end of February that he would resign and go home, or again that he would go and rest at Lynchburg; but this plan (if it continued to be thought of) was given up by about the middle of March, because of his unfitness for the journey. On the night of Saturday, March 30, he had his clerk Scoville read to him part of his "Discourse on the Constitution" and seemed to have no idea that death

⁵⁷ "The Life and Diplomatic Correspondence of James Murray Mason," by his daughter (Virginia Mason), pp. 72, 73. The quotation is from a memorandum in Mason's handwriting.

⁵⁸ The Philadelphia "Ledger," March 19 and 25. The Charleston "Courier," March 25 and 27, and "Mercury," March 23. Venable's speech in Senate, in "The Death and Funeral Ceremonies of John C. Calhoun," published by the South Carolina Legislature, p. 52.

⁵⁹ The "Ledger," March 26. The "Courier," March 27 and 29. The "Mercury," March 26 and 27. The Washington "Union," March 26. The resolutions are printed in "Correspondence," pp. 785-787, but do not seem to add much to what has preceded them.

was near, for, when Scoville made some excuse for stopping at 11 o'clock, Calhoun said:

"Well, read the rest to me to-morrow."

Death was, however, already close at hand. At half an hour past midnight it seems that he began to breathe very heavily, and at 4 in the morning he had his son lock up the manuscript of the "Discourse" and said he was fast sinking. Venable was summoned early in the morning and found him "calm, collected and conscious of his situation, but without any symptom of alarm."⁶⁰ At this almost last hour of his life, public affairs and the good of the country were still in his mind. The immense,—and in reality insoluble,—problem, with which he had so long grappled, rose up again before him, and one who was present has recorded that the dying man "employed the last effort in which he was enabled to utter more than a single sentence, saying:

"'If I had my health and strength to devote one hour to my country in the Senate, I could do more than in my whole life.'"⁶¹

The end then came quickly. Jenkins writes that soon after 5 o'clock his son asked him how he felt, and Calhoun answered: "I am perfectly comfortable."

These were the statesman's last words, according to this author, who adds that about 6 o'clock he made a sign to his son to come to him, but could not articulate. To this, a newspaper of the day adds, without specifying any last words, that, after having the "Discourse" put away, he "failed gradually, and died calmly and composedly, free from pain, and in the full possession of his faculties. He said but little, and after his speech failed, he took his friends by the hand." He died at half-past seven on the morning of Sunday, March 31st, at

⁶⁰ Washington "Union," February 26; "Courier," March 25 and April 1; "Mercury," March 27; Jos. A. Scoville, April 18, 1850, to Jas. A. Hammond in Hammond Papers, in Library of Congress; Jenkins's "Life," p. 442; Venable's speech in Senate on April 1.

⁶¹ Venable's speech during the proceedings in Charleston, in "The Death and Funeral Ceremonies," etc., p. 101. The incident is mentioned also in Rhett's Oration before the Legislature, in Richard Rush's "Occasional Productions," p. 107, and doubtless in many other authorities, in slightly varied form. Venable's evidence is the best, as he was present at the time.

the age of 68 years and 13 days at the Hill mess, the site of which has already been shown.⁶²

The immediate cause of death was an organic disease of the heart, which had developed during the long course of his pulmonary trouble. This latter was doubtless the original and main cause. Throughout his illness he had striven to hide his condition from his family at home, in order not to cause alarm, and the only member of it present was his son, Dr. John C. Calhoun,⁶³ who was his medical attendant. Very near his end, he consented that his family should be sent for. Venable, of North Carolina, and Orr and Wallace, of South Carolina, were with him at his death, and Venable had been constant in attendance during the weeks of illness. So, also, had James Hamilton and Scoville.⁶⁴

Calhoun died intestate. His residence, Fort Hill, had belonged, not to him but to his wife, and was conveyed in 1854, together with the slaves and other personal property on it, by her and her daughter Cornelia to the eldest son, Andrew P. Calhoun, who gave a purchase-money mortgage of \$49,000. This was done, it is said, because of Mrs. Calhoun's wish that the place should be managed by one of the family. After the war and the liberation of the slaves, the mortgage was foreclosed and the property bought in by Thomas G. Clemson as trustee for his wife. She died before him and left the place (except about one-fourth, which went under Mrs. Calhoun's will to Mrs. Clemson's infant granddaughter Isabella Floride Lee) to her husband, Thomas G. Clemson. By the latter's will, the three-quarters of the original estate, which had been

⁶² Jenkins's "Life," p. 442; "Mercury," April 1; "Courier," April 1. The "Courier's" announcement of the death was "dispatched from Washington March 31.—4.40 P. M. Received in Charleston March 31.—6 P. M." The issue was of course heavily leaded with black lines. Mrs. Gouverneur writes, in "As I Remember," that Calhoun died "in the back parlor" of Hill's mess.

⁶³ Jenkins calls the son John B., but there was no such son. The "Mercury," April 1, has the name correctly.

⁶⁴ Jas. Hamilton, March 31, and Joseph A. Scoville, April 18, 1850, to J. A. Hammond, in Hammond Papers, in Library of Congress. Letter of Hamilton, printed in the "Courier," April 8; Mary Bates's "Private Life of John C. Calhoun," p. 22. The Philadelphia "Ledger," March 25 and 26. The "Mercury," April 1. Butler's and Venable's speeches in Senate on April 1.

the property of Mrs. Clemson, was left in 1888 for the purposes of the Clemson Agricultural College, as was finally concluded after litigation.⁶⁵

Great honors were paid the memory of the departed statesman. On April 1 and 2, all the public offices were closed in Washington.⁶⁶ On the first of April the usual meeting in such cases was held in the Senate,—and a like one in the House as well,—the customary resolutions passed, and some speeches far above the ordinary level were made by those who had long been associated with him. On the 2d, at 12 o'clock, the body was brought into the Senate, and after a sermon by the Rev. C. M. Butler, the chaplain of the Senate, was thence taken to the Congressional Burial Ground, attended by a host of distinguished men, among whom were the President of the United States, the members of the Senate and House, the Heads of Departments, the judges of the Supreme Court, the Diplomatic Corps, Army and Navy officers and many others. Here the body was temporarily deposited.

In the South as well the occasion was a great one, and meetings in Calhoun's honor were soon held in many parts of his native State.⁶⁷ In Charleston a public meeting was held on the 2d and, in pursuance of its resolution, the Governor of South Carolina appointed a committee of twenty-five to bring home the body. This committee, however, found little to do, on account of the high honor the United States Senate conferred by appointing a committee of six of its members to attend the remains "to the place designated for their interment." The committee from South Carolina found the public buildings in the capital all draped in mourning.

Some days went by in making necessary arrangements, but on April 22, at 8 A. M., the body was brought to the east front

⁶⁵ Lee v. Simpson, 134 United States Reports, 572, and see also 37 Federal Reporter, p. 12; and 39 *ibid.*, p. 235. Mr. Edwin Calhoun of Abbeville, great-nephew of John C. Calhoun, is my authority as to the reason for the conveyance of Fort Hill by Mrs. Calhoun and her daughter Cornelia. The latter seems to have had no interest in the place further than a share of the personal property, and nothing shows affirmatively why she joined in the conveyance rather than the other children. Possibly, she had bought the interests of the others.

⁶⁶ The "Daily Globe," April 2, 1850.

⁶⁷ The "Courier," *passim*, shortly after March 31.

of the Capitol and thence taken to a steamboat on the Potomac, followed by a long train of officials and distinguished citizens in carriages. The boat then proceeded down the Potomac, past sacred Mount Vernon, to Aquia Creek, where train was taken for Richmond. At Fredericksburg, as at Richmond, and the next day at Petersburg and Wilmington, the occasion was reverently observed. At Wilmington, water-passage was resumed and the steamer *Nina* got under way for Charleston, with its mournful freight and those who were doing honor to it. The harbor of Charleston was reached at 9 o'clock in the morning of April 25, and at noon the body of Calhoun was landed on the soil of his native State.

In Charleston great preparations had been made, and it is evident that her citizens already hoped that, despite the apparent intention to make the final interment at Columbia, the ashes of Calhoun might lie between the Ashley and the Cooper in the midst of the people he had so much loved, in what was, after all, the heart and soul of Carolina. When, on the morning of the 25th, the firing of guns announced the *Nina's* arrival, all business was suspended, the whole city turned out, the church bells tolled, minute-guns were fired, and the city was everywhere draped in black.

All the arrangements had been made with skill by various committees, and not a hitch occurred. The procession was said to be the largest ever known in the city, made up of the distinguished guests from Washington, the Governor of the State, and numerous officials, military companies and other organized societies in great number, the children from many schools carrying thirty banners decorated with the arms of the several States, and hosts of citizens of South Carolina and adjoining States, all come to do reverence to the mighty dead. Some revolutionary officers and soldiers, and the surviving members of the Palmetto regiment, were near the head of the procession, and a number of seamen bore a banner inscribed, in memory of the services of the dead in the War of 1812, with the words "The Children of Old Ocean mourn for him."

The procession kept on to the City Hall, and there the body

lay in state until the next day. It was visited by vast crowds, who went in and out in a continuous stream through arches formed of the native palmettoes, and many ladies threw flowers on the sarcophagus, literally covering it up. The negroes were admitted and came in number, and the thoughtful will find here a touching memento of an era and civilization that were so soon to pass away. The *Courier* writes of it thus:

Young and old, the intelligent and the beautiful, the public dignitary and the private citizen, rich and poor, bond and free, all united in paying the heartfelt tribute of mingled honor and sorrow to the beloved and illustrious dead.

Again the next day the church-bells were tolled from dawn, the colors on the shipping in the harbor were worn at half mast, and at 10 o'clock in the morning a guard of honor and a smaller procession accompanied the dead from the City Hall to St. Philip's Church, where there were some religious ceremonies, a funeral sermon by the Rev. Mr. Miles, and then the splendid ritual of the Service for the Dead was read by Bishop Gadsden, who had long, long years before been a classmate of the deceased at Yale. The body was finally taken into the western cemetery of the church and placed in the ground under a massive marble slab, which had cut on it the one word⁶⁸:

CALHOUN

⁶⁸ The official report of "Calhoun's Death and Funeral Ceremonies," published by the Legislature, and the account in the "*Courier*" of April 27, 1850, are the sources on which the text is based, except where other authority is given. There had been some doubt concerning the wishes of the family, and particularly of Mrs. Calhoun, in regard to the place of sepulture; but both she and the family consented that the body "should be temporarily deposited in the metropolis, there to await the final action of the Legislature." The "*Courier*" says distinctly that the body was on April 26 "deposited in a temporary vault, constructed for the purpose," to await the disposal of the Legislature; but the official account has nothing of this and is express to the effect stated in the text. I assume there can be no question of the latter's accuracy, and possibly the interment was made in the way it was so as to render removal unlikely. There, or very near there, the mortal remains of Calhoun have lain since. They were temporarily removed for obvious reasons at the time of the siege of Charleston, during the Civil War. The Legislature took no action in regard to the matter for many years, but at length, in 1883, appropriated three thousand dollars for the erection of a sarcophagus in St. Philip's Churchyard, and the following year the present granite sarcophagus was erected on the site of the original grave, and the iron coffin in which the

burial had been made was placed in it. The former marble slab is now standing near the Sunday School building, close to where the temporary removal had been made during the Civil War (Charleston Year-Book, 1896, pp. 356-58).

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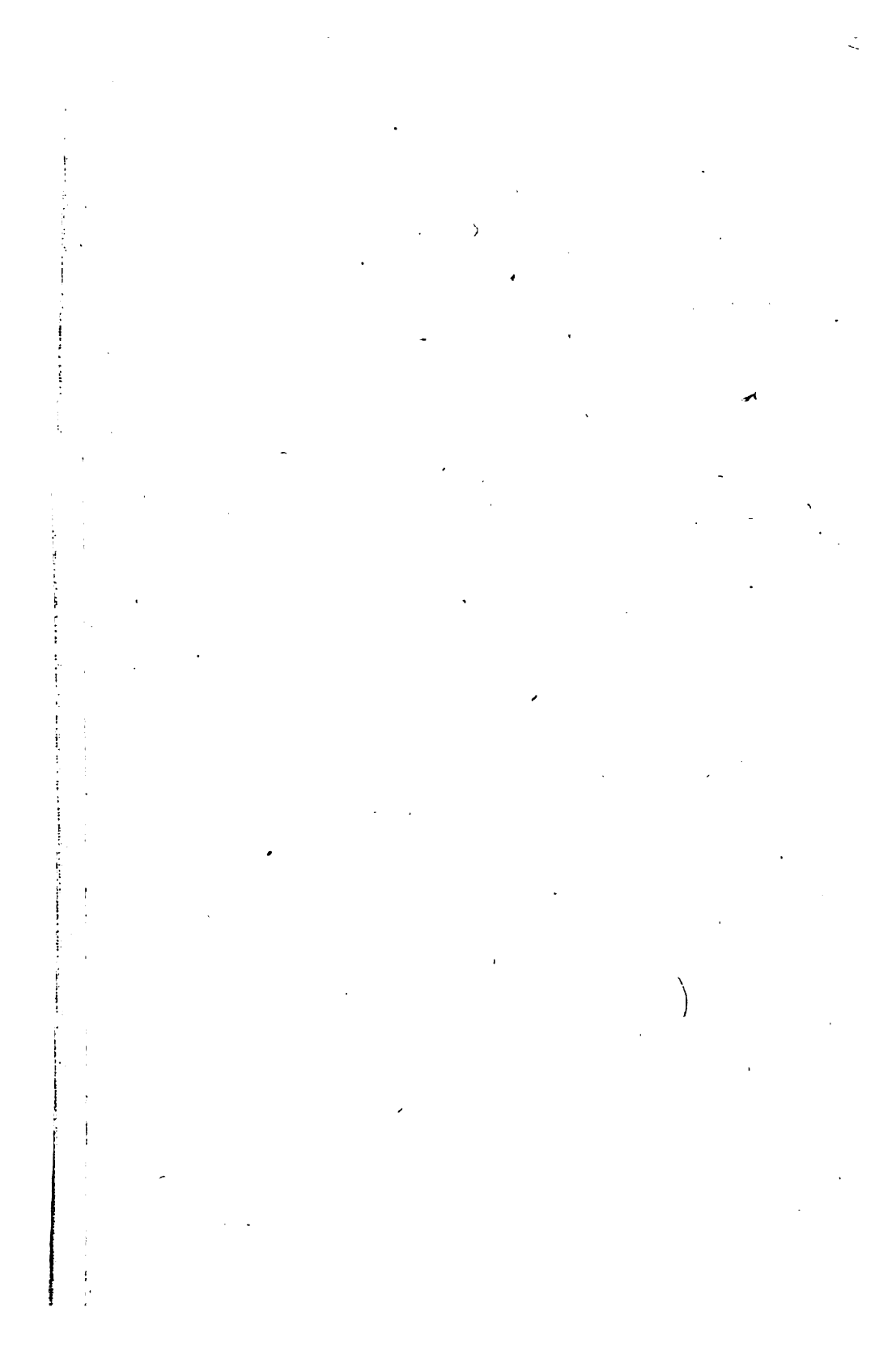
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